

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 65.2-804 of the Code of Virginia, relating to workers' compensation*  
3 *insurance; evidence of compliance.*

4 [H 2292]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 65.2-804 of the Code of Virginia is amended and reenacted as follows:**

8 § 65.2-804. Evidence of compliance with title; notices of cancellation of insurance.

9 A. 1. Each employer subject to this title shall file with the Workers' Compensation Commission, in  
10 form prescribed by it, annually or as often as may be necessary, evidence of his compliance with the  
11 provisions of § 65.2-801 and all others relating thereto; however, any employer who secures his liability  
12 under this title pursuant to subdivision A 1 of § 65.2-801 may have his insurance carrier make such  
13 filing. Evidence of an employer's compliance with the provisions of subdivision A 1 of § 65.2-801 shall  
14 be deemed to satisfy such provisions if it includes the name and address of the insured, the insured's  
15 federal employer identification number, his policy number, dates of insurance coverage, the name and  
16 address of his insurer, and the insurer's identification number. Proof of coverage information filed with  
17 the Commission by an insurance carrier or rate service organization on behalf of an employer shall in no  
18 event be aggregated by the Commission with the proof of coverage information filed by or on behalf of  
19 other employers. Every employer who has complied with the foregoing provision and has subsequently  
20 cancelled his insurance or his membership in a licensed group self-insurance association shall  
21 immediately notify the Workers' Compensation Commission of such cancellation, the date thereof and  
22 the reasons therefor. Every insurance carrier or group self-insurance association shall in like manner  
23 notify the Workers' Compensation Commission immediately upon the cancellation of any policy issued  
24 by it or any membership agreement, whichever is applicable, under the provisions of this title, except  
25 that a carrier or group self-insurance association need not set forth its reasons for cancellation unless  
26 requested by the Workers' Compensation Commission.

27 2. Every employer who cancels his insurance or his membership in a licensed group self-insurance  
28 association shall, prior to cancelling his insurance or his membership, give ~~thirty~~ 30 days' written notice  
29 to his employees covered. Every employer who receives the notice required under subsection B of this  
30 section shall immediately forward a copy to his employees covered. Where the employer is a mine  
31 owner or operator, the notice or copy of notice required to be given by this subsection shall also be  
32 given to the Chief Mine Inspector. The provisions of this subsection shall not apply with respect to a  
33 cancellation incident to a change of insurance or membership where no lapse of coverage occurs.

34 B. No policy of insurance hereafter issued under the provisions of this title, nor any membership  
35 agreement in a group self-insurance association, shall be cancelled or nonrenewed by the insurer issuing  
36 such policy or by the group self-insurance association cancelling or nonrenewing such membership,  
37 except on ~~thirty~~ 30 days' notice to the employer and the Workers' Compensation Commission, unless the  
38 employer has obtained other insurance and the Workers' Compensation Commission is notified of that  
39 fact by the insurer assuming the risk, or unless, in the event of cancellation, said cancellation is for  
40 nonpayment of premiums; then ~~ten~~ 10 days' notice shall be given the employer and the Workers'  
41 Compensation Commission.

42 C. *The Commission may designate an agent for receipt of any notices required to be given to it*  
43 *pursuant to this section.*

44 **2. That an emergency exists and this act is in force from its passage.**

ENROLLED

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