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**SENATE BILL NO. 562**

AMENDMENT IN THE NATURE OF A SUBSTITUTE  
(Proposed by the Senate Committee on Commerce and Labor  
on February 8, 2016)

(Patron Prior to Substitute—Senator Norment)

*A BILL to amend and reenact § 38.2-3454.1 of the Code of Virginia, relating to health benefits plans; amendments to federal law.*

**Be it enacted by the General Assembly of Virginia:****1. That § 38.2-3454.1 of the Code of Virginia is amended and reenacted as follows:****§ 38.2-3454.1. Sale or renewal or offer of health benefit plans; special exception.**

Notwithstanding any other provision of state law, a health carrier may *sell, issue, or offer* ~~to~~ *for sale* or renew any health benefit plan that would otherwise (i) *not be permitted to be sold, issued, or offered for sale* or (ii) be required to be canceled, discontinued, or terminated, because ~~it~~ *the health benefit plan* does not meet the requirements of Title I of the *federal Patient Protection and Affordable Care Act (H.R. 3590)*, as amended by the *Health Care and Education Reconciliation Act of 2010 (P.L. 111-152)* (the PPACA) or regulations promulgated thereunder, to the extent and under the terms that (a) the appropriate federal authority has suspended enforcement of provisions of Title I of the PPACA or regulations promulgated thereunder or (b) *the requirements of the PPACA are amended by any federal law*. This section applies to health benefit plans sold or offered for sale in the individual and group markets.