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SENATE BILL NO. 800**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the Senate Committee on Commerce and Labor
on January 30, 2017)

(Patron Prior to Substitute—Senator Stanley)

A BILL to amend the Code of Virginia by adding in Chapter 29 of Title 54.1 an article numbered 10, consisting of a section numbered 54.1-2997, relating to direct primary care agreements.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 29 of Title 54.1 an article numbered 10, consisting of a section numbered 54.1-2997, as follows:

*Article 10.**Direct Primary Care Agreements.***§ 54.1-2997. Direct primary care agreements.**

A. A direct agreement between a patient, the patient's legal representative, or the patient's employer and a health care provider for ongoing primary care services in exchange for the payment of a monthly periodic fee is not health insurance or a health maintenance organization, provided that the health care provider does not require patients to pay monthly periodic fees prior to initiation of the direct agreement coverage period. A health care provider who participates in a direct primary care practice may participate in a health insurance carrier network so long as the provider is willing and able to meet the terms and conditions of network membership set by the health insurance carrier.

B. The provisions of this article shall not apply to contracts entered into prior to March 1, 2017.