

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act relating to individual health insurance coverage; short-term policies.*

3 [S 844]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 1. § 1. *That notwithstanding any provision of Title 38.2 of the Code of Virginia to the contrary, each*
7 *health carrier, as defined in § 38.2-3438 of the Code of Virginia, shall be authorized to sell or offer for*
8 *sale in the Commonwealth short-term health plans.*9 § 2. *As used in this enactment, "short-term health plan" means a health benefit plan, as defined in*
10 *§ 38.2-3438, with a duration that does not exceed 364 days, regardless of whether the health benefit*
11 *plan is renewable.*12 § 3. *The coverage provided to an individual under a short-term health plan shall satisfy any*
13 *requirement of law or regulation that an individual obtain or maintain health insurance coverage.*14 § 4. *Any short-term health plan sold or offered for sale in the Commonwealth shall be exempt from:*15 a. *The provisions of Article 6 (§ 38.2-3438 et seq.) of Chapter 34 of Title 38.2 of the Code of*
16 *Virginia;*17 b. *Any provision of Title 38.2 of the Code of Virginia that provides an exemption for a short-term*
18 *policy, contract, or plan, regardless of whether such provision states that the exemption applies to a*
19 *short-term policy, contract, or plan with any stated duration that is fewer than 364 days; and*20 c. *Each of the mandated health insurance benefits set forth in Article 2 (§ 38.2-3408 et seq.) of*
21 *Chapter 34 of Title 38.2 the Code of Virginia, provided, however, that in lieu of any requirement that a*
22 *health carrier provide coverage for a mandated benefit, the health carrier shall offer and make*
23 *available the coverage for such benefit under the short-term health plan.*24 § 5. *Every short-term health plan sold or offered for sale in the Commonwealth shall include the*
25 *following disclaimer: "This is a short-term health insurance policy. The policy does not provide*
26 *comprehensive health insurance coverage. It covers only the services as specifically described in the*
27 *policy. Such services may be subject to caps, cost-sharing, and other limitations. The premium costs may*
28 *reflect your age, gender, and pre-existing conditions, which conditions may not be covered or may be*
29 *subject to coverage limitations. Renewal of the policy after the expiration of its term is not guaranteed.*
30 *You should read this policy carefully in order to understand all of its terms."*31 § 6. *The provisions of this enactment shall be contingent upon the promulgation of federal*
32 *regulations that are promulgated pursuant to Presidential Executive Order 13813 dated October 12,*
33 *2017, that expand the availability of short-term, limited duration insurance by allowing short-term plans*
34 *to have a duration not exceeding 364 days.*

ENROLLED

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