

VIRGINIA ACTS OF ASSEMBLY -- 1999 SESSION

CHAPTER 116

An Act to amend and reenact § 38.2-3540.1 of the Code of Virginia, relating to accident and sickness insurance; claims experience; request for record of policyholder's claims experience.

[H 1769]

Approved March 16, 1999

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-3540.1 of the Code of Virginia is amended and reenacted as follows:

§ 38.2-3540.1. Claims experience.

A. Each group accident and sickness insurance policy shall contain a provision which provides that an insurer, upon request, shall provide the policyholder with a complete record of the policyholder's claims experience incurred under the group policy. This record shall include all claims incurred for the lesser of (i) the period of time since the policy was issued or issued for delivery or (ii) the period of time since the policy was last renewed, reissued or extended, if already issued. This record shall be made available promptly to the policyholder upon request made not less than ~~sixty~~ thirty days prior to the date upon which the premiums or contractual terms of the policy may be amended. Nothing in this section shall require the disclosure of personal or privileged information about an individual that is protected from disclosure under Chapter 6 (§ 38.2-600 et seq.) of this title, or under any other applicable federal or state law or regulation.

B. The requirements of this section shall apply to all policies, contracts, and plans delivered, issued for delivery, reissued or extended on and after July 1, 1999, or at any time after the effective date hereof when any term of any such policy, contract or plan is changed or any premium adjustment is made.