

VIRGINIA ACTS OF ASSEMBLY — CHAPTER

An Act to amend the Code of Virginia by adding in Article 6 of Chapter 34 of Title 38.2 a section numbered 38.2-3454.2, relating to the sale of certain health benefit plans that do not provide essential health benefits.

[H 2322]

Approved

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 6 of Chapter 34 of Title 38.2 a section numbered 38.2-3454.2 as follows:

§ 38.2-3454.2. Special exception for health benefit plans not providing essential health benefits.

Notwithstanding the provisions of § 38.2-3451 or any other section of this title to the contrary, a health carrier may offer, sell, issue, or renew any health benefit plan that does not include the essential health benefits as required by § 1302(a) of the PPACA if (i) federal premium tax credit subsidies are no longer available or provided to any resident of the Commonwealth who purchases a health benefit plan through the federal health benefits exchange and (ii) the appropriate federal authority has suspended enforcement of the provisions of the PPACA or regulations promulgated thereunder that require that coverage under a health benefit plan include the essential health benefits, to the extent and under the terms that the appropriate federal authority has suspended enforcement of such provisions. This section applies to health benefit plans sold or offered for sale in the individual and group markets.

ENROLLED

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