

VIRGINIA ACTS OF ASSEMBLY -- 2016 SESSION

CHAPTER 271

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

[S 562]

Approved March 7, 2016

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.