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SENATE BILL NO. 844

FLOOR AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by Senators Dunnavant and Reeves
on February 13, 2018)

(Patron Prior to Substitute—Senator Dunnavant)

*A BILL relating to individual health insurance coverage; short-term policies.***Be it enacted by the General Assembly of Virginia:**

1. § 1. That notwithstanding any provision of Title 38.2 of the Code of Virginia to the contrary, each health carrier, as defined in § 38.2-3438 of the Code of Virginia, shall be authorized to sell or offer for sale in the Commonwealth short-term health plans.

§ 2. As used in this enactment, "short-term health plan" means a health benefit plan, as defined in § 38.2-3438, with a duration that does not exceed 364 days, regardless of whether the health benefit plan is renewable.

§ 3. The coverage provided to an individual under a short-term health plan shall satisfy any requirement of law or regulation that an individual obtain or maintain health insurance coverage.

§ 4. Any short-term health plan sold or offered for sale in the Commonwealth shall be exempt from:

a. The provisions of Article 6 (§ 38.2-3438 et seq.) of Chapter 34 of Title 38.2 of the Code of Virginia;

b. Any provision of Title 38.2 of the Code of Virginia that provides an exemption for a short-term policy, contract, or plan, regardless of whether such provision states that the exemption applies to a short-term policy, contract, or plan with any stated duration that is fewer than 364 days; and

c. Each of the mandated health insurance benefits set forth in Article 2 (§ 38.2-3408 et seq.) of Chapter 34 of Title 38.2 of the Code of Virginia, provided, however, that in lieu of any requirement that a health carrier provide coverage for a mandated benefit, the health carrier shall offer and make available the coverage for such benefit under the short-term health plan.

§ 5. The provisions of this enactment shall be contingent upon the promulgation of federal regulations that are promulgated pursuant to Presidential Executive Order 13813 dated October 12, 2017, that expand the availability of short-term, limited duration insurance by allowing short-term plans to have a duration not exceeding 364 days.