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HOUSE BILL NO. 39

Offered January 8, 2020

Prefiled November 19, 2019

A BILL to amend and reenact § 38.2-3448 of the Code of Virginia, relating to enrollment in health benefit plans by pregnant women.

Patron—Samirah

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:**1. That § 38.2-3448 of the Code of Virginia is amended and reenacted as follows:****§ 38.2-3448. Guaranteed availability.**

A. Notwithstanding any provision of § 38.2-3430.3, 38.2-3436, or any other section of this title to the contrary, a health carrier offering a health benefit plan providing individual or group health insurance coverage shall issue such coverage to any eligible individual or employer in the Commonwealth that applies for such coverage. For purposes of this section, an "eligible individual" means any individual eligible for either individual or group health insurance coverage in the Commonwealth.

B. A health carrier may restrict enrollment in a health benefit plan to open or special enrollment periods. *However, (i) a health carrier that restricts enrollment to an enrollment period shall allow for the enrollment of a pregnant individual in a health benefit plan, including any health benefit plan made available through an exchange as defined in § 38.2-3455, at any time after the commencement of the pregnancy, as certified by a health care practitioner, and (ii) the pregnant individual's coverage under such a health benefit plan shall be effective as of the first of the month in which the individual receives certification of the pregnancy.* The Commission may establish open enrollment periods applicable to all health benefit plans.

2. That the provisions of this act shall apply with respect to health benefit plans that are entered into, amended, extended, or renewed on or after January 1, 2021.

INTRODUCED

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