

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 38.2-3407.11:4, relating to health*
3 *insurance; interhospital transfer for newborn or mother; prior authorization prohibited.*

4 [S 718]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding a section numbered 38.2-3407.11:4 as follows:**
8 **§ 38.2-3407.11:4. Interhospital transfer for newborn or mother; prior authorization prohibited.**

9 *A. Notwithstanding any provision of § 38.2-3407.11 or 38.2-3419 or any other section of this title to*
10 *the contrary, no insurer proposing to issue individual or group accident and sickness insurance policies*
11 *providing hospital, medical and surgical, or major medical coverage on an expense-incurred basis,*
12 *corporation providing individual or group accident and sickness subscription contracts, or health*
13 *maintenance organization providing a health care plan for health care services shall require prior*
14 *authorization for the interhospital transfer of (i) a newborn infant experiencing a life-threatening*
15 *emergency condition or (ii) the hospitalized mother of such newborn infant to accompany the infant.*

16 *B. The requirements of this section shall apply to all policies, contracts, and plans delivered, issued*
17 *for delivery, reissued, or extended in the Commonwealth on and after January 1, 2021, or at any time*
18 *thereafter when any term of the policy, contract, or plan is changed or any premium adjustment is made*
19 *thereto.*

20 *C. The provisions of this section shall not apply to short-term travel, accident-only, or limited or*
21 *specified disease policies, contracts designed for issuance to persons eligible for coverage under Title*
22 *XVIII of the Social Security Act, known as Medicare, or any other similar coverage under state or*
23 *federal governmental plans, or short-term nonrenewable policies of not more than six months' duration.*

ENROLLED

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