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HOUSE BILL NO. 1875

Offered January 11, 2023

Prefiled January 10, 2023

A BILL to direct the State Corporation Commission to establish by regulation exemptions to termination of service by a public utility for certain residential customers; serious medical condition; report.

Patrons—Helmer and Kory

Referred to Committee on Commerce and Energy

Be it enacted by the General Assembly of Virginia:

1. § 1. A. The State Corporation Commission (the Commission) shall establish by regulation exemptions to termination of service by a public utility for certain residential customers. Such regulations shall permit a residential customer to delay termination of service up to three times within a 12-month period. Such regulations shall require a public utility to delay termination of service as follows: (i) for any residential customer who has not filed a serious medical condition form with the public utility, for 15 calendar days upon oral or written notification from the residential customer that such customer or a family member residing with the customer has a serious medical condition; upon receipt of a serious medical condition form within such 15-calendar-day delay, the public utility shall delay disconnection for a minimum of 60 calendar days beyond the expiration of any required termination notice; (ii) for any residential customer who has filed a serious medical condition form with the public utility, for a minimum of 60 calendar days beyond the expiration of any required termination notice; or (iii) for any residential customer who certifies to the utility that the customer's household includes primary residents who are not younger than 65 years of age, not older than 12 months of age, or have a disability, for a minimum of 60 calendar days beyond the expiration of any required notice. For any residential customer who is experiencing financial hardship and whose serious medical condition will endure beyond the 60-calendar-day delay granted under clause (ii), the public utility shall work with such customer to establish a payment plan and make all due effort to avoid service termination upon the expiration of the 60-calendar-day delay.

B. Each public utility shall notify its residential customers who are at least 30 days in arrears about the opportunity to delay service termination as described in subsection A. Such notice may be included as a bill insert or separate notice.

C. Each public utility shall, by the fifteenth day of each month, compile and make publicly available in executable, electronic spreadsheet format a monthly report on the number of residential customers by zip code (i) who have filed a serious medical condition form with the utility, (ii) who receive an exemption from disconnection under subsection A, and (iii) who enter into payment plans under the serious medical condition exemption, including the number of exemptions from disconnection granted under this act that have expired in the previous 30-calendar-day period, the number of payment plans completed, the number of payment plans defaulted, and the amount of arrearage and average debt still remaining for customer accounts removed from the repayment plan as set forth by the utility. Such report shall not include personal or identifying information of any residential utility customer.

D. As used in this act:

"Public utility" means a public utility as defined in § 56-232 of the Code of Virginia that provides electric, gas, or water or wastewater services.

"Serious medical condition" means a physical or psychiatric condition that requires medical intervention to prevent further disability, loss of function, or death. Such condition is characterized by a need for ongoing medical supervision or the consultation of a physician. A serious medical condition carries with it a risk to health beyond that experienced by the majority of children and adults in their day-to-day minor illnesses and injuries. Individuals with a serious medical condition may require administration of specialized treatments and may be dependent on medical technology such as ventilators, dialysis machines, enteral or parenteral nutrition support, or continuous oxygen. A medical intervention may include medications with special storage requirements, use of powered equipment, or access to water.

"Serious medical condition certification form" means a written document, approved by the Commission, signed by (i) a licensed physician, (ii) the customer, and (iii) the patient or the patient's legal guardian or power of attorney. The serious medical condition certification form shall (a) identify the medical condition of the customer or family member who resides with the customer, (b) include a certification by a licensed physician that the medical condition meets the definition of a serious medical condition, (c) identify the anticipated length of time that the serious medical condition will persist, and

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59 *(d) identify any equipment prescribed or treatment required for the serious medical condition.*