

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 38.2-226.1, relating to insurance*
3 *regulation; exemptions for certain health plans.*

4 [H 1130]

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 38.2-226.1 as follows:**8 *§ 38.2-226.1. Provisions of title not applicable to certain long-term care prepaid health plans.*

9 *A. This title shall not apply to pre-PACE, long-term care prepaid health plans (i) authorized by the*
10 *United States Health Care Financing Administration pursuant to § 1903 (m) (2) (B) of Title XIX of the*
11 *United States Social Security Act and the state plan for medical assistance services as established*
12 *pursuant to Chapter 10 (§ 32.1-323 et seq.) of Title 32.1 and (ii) which have signed agreements with the*
13 *Department of Medical Assistance Services as long-term care prepaid health plans.*

14 *B. The pre-PACE, long-term care prepaid health plans identified in subsection A may include*
15 *coverage for individuals who have made application for medical assistance services pursuant to Chapter*
16 *10 (§ 32.1-323 et seq.) of Title 32.1. Such coverage shall not extend beyond ninety days after the date of*
17 *such application unless (i) such individuals' applications are approved or (ii) any disapproval thereof is*
18 *pending appeal conforming to the procedures established for the same by the Department of Medical*
19 *Assistance Services, and then only for the duration of such appeal.*

20 **2. That the provisions of this act shall expire on July 1, 1997.**

21 **3. That the Joint Commission on Health Care, in cooperation with the Department of Medical**
22 **Assistance Services and the Bureau of Insurance of the State Corporation Commission, shall**
23 **conduct a study to: (i) determine whether the exemptions established by the bill should be**
24 **continued in existing or modified form beyond July 1, 1997; and (ii) identify an appropriate state**
25 **regulatory policy for pre-PACE and PACE projects which may provide coverage for individuals**
26 **who are not eligible for Medicaid. The Joint Commission on Health Care shall report its findings**
27 **and recommendations to the Governor and the 1997 Session of the General Assembly.**