

1 COMMITTEE SUBSTITUTE

2 FOR

3 **H. B. 2876**

4 (By Delegates Perry, Hartman, Walters,
5 Hall, Reynolds, Ashley and Azinger)

6 (Originating in the Committee on Finance)

7 [February 24, 2011]

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10 A BILL to amend and reenact §33-48-7b of the Code of West Virginia,
11 1931, as amended, relating to expanding eligibility for
12 subsidies to enrollees in the model health plan for
13 uninsurable individuals; and providing for emergency and
14 legislative rules.

15 *Be it enacted by the Legislature of West Virginia:*

16 That §33-48-7b of the Code of West Virginia, 1931, as amended,
17 be amended and reenacted to read as follows:

18 **ARTICLE 48. MODEL HEALTH PLAN FOR UNINSURABLE INDIVIDUALS ACT.**

19 **§33-48-7b. Surplus available to subsidize premiums.**

20 Whenever the board determines that the account created
21 pursuant to section seven-a of this article contains a surplus
22 above those amounts necessary to provide fully for the expected
23 costs of claims and other expenses listed in subsection (a),
24 section seven of this article, the plan may use such surpluses to
25 subsidize the premium of ~~certain low income enrollees whose~~
26 ~~eligibility shall be established by legislative rule~~ with an annual

1 average household income at or below four hundred percent of the
2 federal poverty level. The board ~~shall~~ may propose emergency rules
3 and shall propose rules for legislative approval in accordance with
4 the provisions of article three, chapter twenty-nine-a of this code
5 to establish eligibility criteria for enrollees ~~with low income~~ who
6 are eligible for premium subsidy pursuant to this section.