

1 **H. B. 4468**

2  
3 (By Delegates Ferns, Cann, Fleischauer, Frazier,  
4 Hall, Iaquina, Manchin, Michael, Miley,  
5 Nelson and Poore)

6 [Introduced February 9, 2012; referred to the  
7 Committee on Banking and Insurance then the Judiciary.]

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10 A BILL to amend and reenact §33-15-14 of the Code of West Virginia,  
11 1931, as amended, relating to prohibiting insurance companies  
12 from discriminating against certain health care providers.

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

14 That §33-15-14 of the Code of West Virginia, 1931, as amended,  
15 be amended and reenacted to read as follows:

16 **ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.**

17 **§33-15-14. Policies discriminating among health care providers.**

18 Notwithstanding any other provisions of law, when any health  
19 insurance policy, health care services plan or other contract  
20 provides for the payment of medical expenses, benefits or  
21 procedures, ~~such~~ the policy, plan or contract shall be construed to  
22 include payment to all health care providers including medical  
23 physicians, osteopathic physicians, podiatric physicians,  
24 chiropractic physicians, physical therapists, occupational

1 therapists, midwives, ~~and~~ nurse practitioners and their licensed  
2 assistants, who provide medical services, benefits or procedures  
3 which are within the scope of each respective provider's license.  
4 Any limitation or condition placed upon services, diagnoses or  
5 treatment by, or payment to any particular type of licensed  
6 provider shall apply equally to all types of licensed providers  
7 without unfair discrimination as to the usual and customary  
8 treatment procedures of any of the ~~aforsaid~~ listed providers.

NOTE: The purpose of this bill is to prohibit an insurance company for discriminating against occupational therapists and physical therapists.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.