

1 **H. B. 2518**

2
3 (By Delegates Walters, Pasdon, Householder, Ellington, Folk, Kurcaba,
4 Fleischauer, Sponaugle, Reynolds, Perdue and Blair)

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6 [Introduced January 30, 2015; referred to the

7 Committee on Banking and Insurance then the Judiciary.]

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10 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
11 designated §33-16-18, relating to requiring insurers issuing group accident and sickness
12 insurance policies to certain employers to furnish claims loss experience to policyholders
13 upon request of a policyholder; and identifying the claims loss experience information to be
14 provided.

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

16 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new
17 section, designated §33-16-18, to read as follows:

18 **ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.**

19 **§33-16-18. Claims loss experience to be furnished to certain employer group accident and**
20 **sickness policyholders.**

21 (a) In cases of employers providing group healthcare coverage either insured or self-insured
22 to one hundred or more covered employees, members or enrollees, not including dependents in the
23 State of West Virginia, all third party administrators and insurers shall furnish to the employer within

- 1 thirty days of the renewal date if requested, the employer's claims loss experience.
- 2 (b) All insurers and third party administrators shall provide the information annually to the
3 employer group policyholder if requested. The information shall include, but is not limited to:
- 4 (1) Earned premiums separated by policy year for at least the last two years, if applicable;
5 (2) Total paid claims and total incurred claims, inclusive of any high dollar or pooled claims,
6 including both capitated and noncapitated expenses set forth in the same manner as premiums;
7 (3) Any amount in excess of the individual pooling or stop loss trigger point applicable to
8 the group; and
- 9 (4) The claims loss information may not include any information prohibited from disclosure
10 by any applicable federal law.

NOTE: The purpose of this bill is to require insurers issuing group accident and sickness insurance policies to certain employers to furnish claims loss experience to policyholders upon request of a policyholder. It also identifies the claims loss experience information to be provided.

This section is new; therefore, it has been completely underscored.