

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

### **Introduced**

# **HOUSE BILL 2518**

### **2015 Carryover**

(BY DELEGATES WALTERS, HOUSEHOLDER, ELLINGTON,  
FOLK, KURCABA, FLEISCHAUER, SPONAUGLE, REYNOLDS,  
PERDUE AND BLAIR)

[Introduced January 13, 2016; referred to the  
Committee on Banking and Insurance then the  
Judiciary.]

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

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

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

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

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

1 (a) In cases of employers providing group healthcare coverage either insured or self-  
 2 insured to one hundred or more covered employees, members or enrollees, not including  
 3 dependents in the State of West Virginia, all third party administrators and insurers shall furnish  
 4 to the employer within thirty days of the renewal date if requested, the employer's claims loss  
 5 experience.

6 (b) All insurers and third party administrators shall provide the information annually to the  
 7 employer group policyholder if requested. The information shall include, but is not limited to:

8 (1) Earned premiums separated by policy year for at least the last two years, if applicable;

9 (2) Total paid claims and total incurred claims, inclusive of any high dollar or pooled claims,  
 10 including both capitated and noncapitated expenses set forth in the same manner as premiums;

11 (3) Any amount in excess of the individual pooling or stop loss trigger point applicable to  
 12 the group; and

13 (4) The claims loss information may not include any information prohibited from disclosure

14 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.