

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Committee Substitute

for

Senate Bill 568

BY SENATOR ROBERTS

[Originating in the Committee on Banking and
Insurance; reported on February 16, 2022]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §33-16-3c; to amend said code by adding thereto a new section, designated
3 §33-24-6a; to amend said code by adding thereto a new section, designated §33-25-10a;
4 and to amend said code by adding thereto a new section, designated §33-25A-7b, all
5 relating to health insurance loss ratio information; defining term; and requiring disclosure
6 of loss ratio information upon request.

Be it enacted by the Legislature of West Virginia:

ARTICLE 16. GROUP ACCIDENT AND SICKNESS INSURANCE.

§33-16-3c. Loss ratio.

1 If an insurer considers a loss ratio at the time of renewal of a policy, the insurer shall, upon
2 request of an insured, provide the loss ratio and the components of the loss ratio calculation to
3 the insured no more than 90 days but no less than 60 days before the renewal date of the policy.
4 For purposes of this section, "loss ratio" means the total losses paid out in medical claims divided
5 by the total earned premiums.

**ARTICLE 24. HOSPITAL SERVICE CORPORATIONS, MEDICAL SERVICE
CORPORATIONS, DENTAL SERVICE CORPORATIONS, AND HEALTH
SERVICE CORPORATIONS.**

§33-24-6a. Loss ratio.

1 If a corporation considers a loss ratio at the time of renewal of a policy, plan, or contract,
2 the corporation shall, upon request of an insured or subscriber, provide the loss ratio and the
3 components of the loss ratio calculation to the insured or subscriber no more than 90 days but no
4 less than 60 days before the renewal date of the policy, plan, or contract. For purposes of this
5 section, "loss ratio" means the total losses paid out in medical claims divided by the total earned
6 premiums.

ARTICLE 25. HEALTH CARE CORPORATIONS.

§33-25-10a. Loss ratio.

1 If a corporation considers a loss ratio at the time of renewal of a policy, plan, or contract,
2 the corporation shall, upon request of a subscriber, provide the loss ratio and the components of
3 the loss ratio calculation to the subscriber no more than 90 days but no less than 60 days before
4 the renewal date of the policy, plan, or contract. For purposes of this section, “loss ratio” means
5 the total losses paid out in medical claims divided by the total earned premiums.

ARTICLE 25A. HEALTH MAINTENANCE ORGANIZATION ACT.

§33-25A-7b. Loss ratio.

1 If a health maintenance organization considers a loss ratio at the time of renewal of a
2 policy, plan, or contract, the health maintenance organization shall, upon request of a subscriber,
3 provide the loss ratio and the components of the loss ratio calculation to the subscriber no more
4 than 90 days but no less than 60 days before the renewal date of the policy, plan, or contract. For
5 purposes of this section, “loss ratio” means the total losses paid out in medical claims divided by
6 the total earned premiums. For purposes of this section, “subscriber” does not include a
7 subscriber or beneficiary of any policy, plan, or contract approved by the Bureau of Medical
8 Services of the Department of Health and Human Resources and entered into by a health
9 maintenance organization with Medicaid or the Children’s Health Insurance Program.