

**WEST VIRGINIA
SECRETARY OF STATE**

KEN HECHLER

ADMINISTRATIVE LAW DIVISION

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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

**EXPIRATION OF LEGISLATIVE RULE
DUE TO LEGISLATIVE DISAPPROVAL**

(W. VA. CODE §64-1-1)

AGENCY: INSURANCE TITLE NUMBER: 114

SERIES NUMBER: 53

TITLE OF RULE: Quality Assurance

THE ABOVE RULE EXPIRED DUE TO 1998 LEGISLATIVE DISAPPROVAL OF THIS

RULE..



DIRECTOR, ADMINISTRATIVE LAW DIVISION

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6217
114-53

1 Bill-Ins, Q

H. B. 4177

2

(By Delegates Hunt, Linch, Compton, Jenkins,
3 Faircloth and Riggs)

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[Introduced January 30, 1998; referred to the
5 Committee on Banking and Insurance then the
6 Judiciary.]

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A BILL to amend and reenact section three, article seven,
11 chapter sixty-four of the code of West Virginia, one
12 thousand nine hundred thirty-one, as amended, relating
13 to authorizing the insurance commissioner to
14 promulgate a legislative rule relating to quality
15 assurance.

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

17

That section three, article seven, chapter sixty-four
18 of the code of West Virginia, one thousand nine hundred
19 thirty-one, as amended, be amended and reenacted, to read
20 as follows:

21

ARTICLE 7. AUTHORIZATION FOR DEPARTMENT OF TAX AND REVENUE

22

TO PROMULGATE LEGISLATIVE RULES.

23

§64-7-3. Insurance commissioner.

4177

1 (a) The legislative rule filed in the state register
2 on the second day of July, one thousand nine hundred
3 ninety-six, authorized under the authority of section ten,
4 article two, chapter thirty-three of this code, modified by
5 the insurance commissioner to meet the objections of the
6 legislative rule-making review committee and refiled in the
7 state register on the twentieth day of February, one
8 thousand nine hundred ninety-seven, relating to the
9 insurance commissioner (medicare supplement insurance, 114
10 CSR 24), is authorized.

11 (b) The legislative rule filed in the state register
12 on the twentieth day of August, one thousand nine hundred
13 ninety-six, authorized under the authority of section
14 fifteen, article four, chapter thirty-three of this code,
15 modified by the insurance commissioner to meet the
16 objections of the legislative rule-making review committee
17 and refiled in the state register on the thirtieth day of
18 January, one thousand nine hundred ninety-seven, relating
19 to the insurance commissioner (life and health reinsurance
20 agreements, 114 CSR 48), is authorized.

21 (c) The legislative rule filed in the state register
22 on the twenty-ninth day of August, one thousand nine
23 hundred ninety-six, authorized under the authority of

1 section twenty, article fifteen, chapter thirty-three of
2 this code, modified by the insurance commissioner to meet
3 the objections of the legislative rule-making review
4 committee and refiled in the state register on the
5 thirty-first day of January, one thousand nine hundred
6 ninety-seven, relating to the insurance commissioner
7 (individual medical savings accounts, 114 CSR 47), is
8 disapproved and is not authorized for promulgation.

9 (d) The legislative rule filed in the state register
10 on the twentieth day of August, one thousand nine hundred
11 ninety-six, authorized under the authority of section ten,
12 article two, chapter thirty-three of this code, modified by
13 the insurance commissioner to meet the objections of the
14 legislative rule-making review committee and refiled in the
15 state register on the eighteenth day of February, one
16 thousand nine hundred ninety-seven, relating to the
17 insurance commissioner (valuation of life insurance
18 policies, 114 CSR 49), is authorized, with the following
19 amendment:

20 "On page one, section 1.4 of the rule, by following
21 the words 'effective date' inserting the following:

22 'The portions of the rule amended as a result of
23 modifications offered by the Insurance Commissioner and

1 filed with the Secretary of State on August 20, 1996, shall
2 not become effective until January 1, 1998."

3 (e) The legislative rule filed in the state register
4 on the twenty-ninth day of August, one thousand nine
5 hundred ninety-six, authorized under the authority of
6 section one, article fifteen-c, chapter thirty-three of
7 this code, modified by the insurance commissioner to meet
8 the objections of the legislative rule-making review
9 committee and refiled in the state register on the
10 twentieth day of February, one thousand nine hundred
11 ninety-seven, relating to the insurance commissioner
12 (diabetes, 114 CSR 52), is authorized.

13 (f) The legislative rule filed in the state register
14 on the twenty-ninth day of August, one thousand nine
15 hundred ninety-six, authorized under the authority of
16 section twenty-three, article four-c, chapter sixteen of
17 this code, modified by the insurance commissioner to meet
18 the objections of the legislative rule-making review
19 committee and refiled in the state register on the
20 eighteenth day of February, one thousand nine hundred
21 ninety-seven, relating to the insurance commissioner
22 (emergency medical services, 114 CSR 50), is authorized.

23 (g) The legislative rule filed in the state register

1 on the twenty-ninth day of August, one thousand nine
2 hundred ninety-six, authorized under the authority of
3 section ten, article two, chapter thirty-three of this
4 code, modified by the insurance commissioner to meet the
5 objections of the legislative rule-making review committee
6 and refiled in the state register on the eighteenth day of
7 February, one thousand nine hundred ninety-seven, relating
8 to the insurance commissioner (utilization management, 114
9 CSR 51), is authorized.

10 (h) The legislative rule filed in the state register
11 on the twenty-ninth day of August, one thousand nine
12 hundred ninety-six, authorized under the authority of
13 section ten, article two, chapter thirty-three of this
14 code, modified by the insurance commissioner to meet the
15 objections of the legislative rule-making review committee
16 and refiled in the state register on the eighteenth day of
17 February, one thousand nine hundred ninety-seven, relating
18 to the insurance commissioner (replacement of life
19 insurance, 114 CSR 8), is authorized.

20 (i) The legislative rule filed in the state register
21 on the first day of August, one thousand nine hundred
22 ninety-seven, authorized under the authority of section
23 ten, article two, chapter thirty-three, of this code,

1 modified by the insurance commissioner to meet the
 2 objections of the legislative rule-making review committee
 3 and refilled in the state register on the seventeenth day of
 4 December, one thousand nine hundred ninety-seven, relating
 5 to the insurance commissioner (quality assurance, 114 CSR
 6 53), is authorized.

7

8 NOTE: The purpose of this bill is to authorize the
 9 insurance commissioner to promulgate a legislative rule
 10 relating to Quality Assurance.

11
 12 Strike-throughs indicate language that would be
 13 stricken from the present law, and underscoring indicates
 14 new language that would be added.

Senate Bill No. 313

(By Senator(s) Ross, Anderson, Bowman,
Macnaughtan, Boley and Buckalew)

[Introduced January 30, 1998; referred to the
Committee on Banking and Insurance; then to the
Committee on Finance; and then to the Committee
on the Judiciary.]

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21 ARTICLE 7. AUTHORIZATION FOR DEPARTMENT OF TAX AND REVENUE
22 TO PROMULGATE LEGISLATIVE RULES.

23 §64-7-3. Insurance commissioner.

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8 thousand nine hundred ninety-seven, relating to the
9 insurance commissioner (medicare supplement insurance, 114
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14 fifteen, article four, chapter thirty-three of this code,
15 modified by the insurance commissioner to meet the
16 objections of the legislative rule-making review committee
17 and refiled in the state register on the thirtieth day of
18 January, one thousand nine hundred ninety-seven, relating
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13 the insurance commissioner to meet the objections of the
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15 state register on the eighteenth day of February, one
16 thousand nine hundred ninety-seven, relating to the
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13 (f) The legislative rule filed in the state register
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19 committee and refiled in the state register on the
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21 ninety-seven, relating to the insurance commissioner
22 (emergency medical services, 114 CSR 50), is authorized.

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5 objections of the legislative rule-making review committee
6 and refiled in the state register on the eighteenth day of
7 February, one thousand nine hundred ninety-seven, relating
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9 CSR 51), is authorized. .

10 (h) The legislative rule filed in the state register
11 on the twenty-ninth day of August, one thousand nine
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13 section ten, article two, chapter thirty-three of this
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16 and refiled in the state register on the eighteenth day of
17 February, one thousand nine hundred ninety-seven, relating
18 to the insurance commissioner (replacement of life
19 insurance, 114 CSR 8), is authorized.

20 (i) The legislative rule filed in the state register
21 on the first day of August, one thousand nine hundred
22 ninety-seven, authorized under the authority of section
23 ten, article two, chapter thirty-three, of this code,

1 modified by the insurance commissioner to meet the
2 objections of the legislative rule-making review committee
3 and refiled in the state register on the seventeenth day of
4 December, one thousand nine hundred ninety-seven, relating
5 to the insurance commissioner (quality assurance, 114 CSR
6 53), is authorized.

7

8 NOTE: The purpose of this bill is to authorize the
9 Insurance Commissioner to promulgate a legislative rule
10 relating to Quality Assurance.

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