

**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: 54

TITLE OF RULE: Group Accident & Sickness Insurance Issuance, Portability & Marketing
Requirements

THE ABOVE RULE EXPIRED DUE TO 1998 LEGISLATIVE DISAPPROVAL OF THIS
RULE.



DIRECTOR, ADMINISTRATIVE LAW DIVISION

4617

114-54

1 Bill-Ins,

H. B. 4174

2

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

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

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10 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 group
15 accident and sickness insurance issuance, portability
16 and marketing requirements.

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

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

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

4174

1 §64-7-3. Insurance commissioner.

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

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

22 (c) The legislative rule filed in the state register
23 on the twenty-ninth day of August, one thousand nine

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

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

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

23 'The portions of the rule amended as a result of

1 modifications offered by the Insurance Commissioner and
2 filed with the Secretary of State on August 20, 1996, shall
3 not become effective until January 1, 1998."

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

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

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

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

21 (i) The legislative rule filed in the state register
22 on the first day of August, one thousand nine hundred
23 ninety-seven, authorized under the authority of section

1 ten, article two, chapter thirty-three, of this code,
2 modified by the insurance commissioner to meet the
3 objections of the legislative rule-making review committee
4 and refiled in the state register on the twenty-fifth day
5 of November, one thousand nine hundred ninety-seven,
6 relating to the insurance commissioner (group accident and
7 sickness insurance issuance, portability and marketing
8 requirements, 114 CSR 54), is authorized.

9

10 NOTE: The purpose of this bill is to authorize the
11 Insurance Commissioner to promulgate a legislative rule
12 relating to Group Accident and Sickness Insurance Issuance,
13 Portability and Marketing Requirements.

14

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

Senate Bill No. 309

114-54

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

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

9

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11 chapter sixty-four of the code of West Virginia, one
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13 to authorizing the insurance commissioner to
14 promulgate a legislative rule relating to group
15 accident and sickness insurance issuance, portability
16 and marketing requirements.

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

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21 as follows:

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

1 modifications offered by the Insurance Commissioner and
2 filed with the Secretary of State on August 20, 1996, shall
3 not become effective until January 1, 1998."

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

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

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

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

21 (i) The legislative rule filed in the state register
22 on the first day of August, one thousand nine hundred
23 ninety-seven, authorized under the authority of section

1 ten, article two, chapter thirty-three, of this code,
2 modified by the insurance commissioner to meet the
3 objections of the legislative rule-making review committee
4 and refiled in the state register on the twenty-fifth day
5 of November, one thousand nine hundred ninety-seven,
6 relating to the insurance commissioner (group accident and
7 sickness insurance issuance, portability and marketing
8 requirements, 114 CSR 54), is authorized.

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11 Insurance Commissioner to promulgate a legislative rule
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