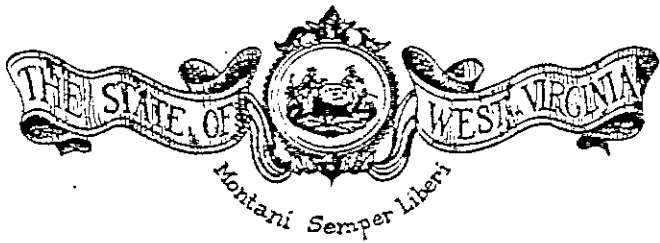


Obsolete  
By Reg. Filed  
8-6-84



A. JAMES MANCHIN  
SECRETARY OF STATE

OFFICE OF THE SECRETARY OF STATE  
CHARLESTON 25305

FILED IN THE OFFICE OF  
JAMES MANCHIN  
SECRETARY OF STATE  
THIS DATE 12-27-82  
Administrative Law Division

STATE REGISTER FILING

I, RICHARD A. FOLIO, ACTING EXECUTIVE SECRETARY,  
Title or position

WV. PUBLIC EMPLOYEES INSURANCE BOARD, hereby submit to record in  
Department or division

the State Register on 8 1/2 x 11" paper two (2) copies of

- ( ) proposed rules and regulations concerning topics of material not covered by existing rules and regulations;
- ( ) proposed rules and regulations superseding rules and regulation already on file;
- ( ) notice of hearing;
- ( ) findings and determinations;
- ( ) rules and regulations;
- (XX) other - specify: LEGISLATIVE RULES REFILED IN ACCORDANCE WITH WV CODE 29A-2-5

This filing pertains to

Chapter 5  
 Article 16  
 Series I  
 Section 1 - 19  
 Page No. \_\_\_\_\_

- ( ) proposed rules and regulations are required to go to Legislative Rule Making Committee;
- ( ) proposed rules and regulations are excluded from Legislative Rule Making Committee;

DECEMBER 27, 1982

Date Submitted

Authorized signature of filing person

WEST VIRGINIA LEGISLATIVE RULES  
WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE ACT

Chapter 5-16-1 et seq.  
Series I  
(1972)

Subject: Legislative rules pertaining to the general administration  
of the West Virginia Public Employees Insurance Plan.

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- Section 1. General
  - 1.01. Scope
  - 1.02. Authority
  - 1.03. Filing Date
  - 1.04. Effective Date
  - 1.05. Refiling Date
  - 1.06. Amendments to Rules
- Section 2. Definitions
  - 2.01. Definitions
- Section 3. Establishment of the Plans
  - 3.01. Preliminary Negotiations
  - 3.02. Determination of Participants
  - 3.03. Benefits
  - 3.04. Premium Payment for Retired Employees
- Section 4. Implementation of Plans
  - 4.01. Bids
  - 4.02. Award of Contracts
- Section 5. Participation in the Plans
  - 5.01. Enrollment
  - 5.02. Certification of Eligibility
  - 5.03. Changes in Coverage
- Section 6. Review
- Section 7. Expense Fund

FILED IN THE OFFICE OF  
A. JAMES MANCHIN  
SECRETARY OF STATE  
THIS DATE 12-27-82  
Administrative Law Division

WEST VIRGINIA LEGISLATIVE RULES  
WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE ACT

Chapter 5-16-1 et seq.  
Series I  
(1972)

Subject: Legislative rules pertaining to the general administration  
of the West Virginia Public Employees Insurance Plan.

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Section 1. General

1.01. Scope - These rules implement the provisions of article 16, chapter 5 of the West Virginia Code of 1931, as amended, pertaining to the general administration of the West Virginia Public Employees Insurance Plan.

1.02. Authority - These rules are issued under the authority of said article 16, chapter 5, particularly section five, which authorizes and empowers the Board to make all rules and regulations necessary to effectuate the provisions of this article, section seven, which authorizes and empowers the Board to establish and promulgate rules and regulations for the administration of such plans, and section eighteen, which authorizes the Board to promulgate such rules and regulations as may be required for the effective administration of the provisions of this article.

1.03. Filing Date - These rules were promulgated on the fifth day of September, 1972, and filed in the Office of the Secretary of State on the sixth day of September, 1972.

1.04. Effective Date - These rules became effective on the sixth day of October, 1972.

1.05. Refiling Date - These rules were resubmitted and refiled in accordance with section 5, article 2, chapter 29A of the West Virginia

Code of 1931, as amended, in the Office of the Secretary of State on the twenty-third day of December, 1982.

1.06. Amendments to Rules - Amendments to these rules may be made at any meeting of the Board, by vote of a majority of the quorum, provided that the requirements of chapter twenty-nine-A [29A-1-1 et seq.] of the West Virginia Code of 1931, as amended, are met.

## Section 2. Definitions

2.01. Definitions - The terms "Board", "Employee", "Retired Employee", and "Employer", as used in these rules shall have the same definitions as these terms are given in West Virginia Code 5-16-2. The following words and phrases as used in these rules, unless a different meaning is clearly indicated by context, shall have the following meanings:

(a) "Full-time" (referring to employment) - a position which normally requires twelve (12) months per year service and/or requires at least twenty (20) hours per week or 1,040 hours per year in that position and contribution to a State Retirement System.

(b) "Dependent" - a spouse and/or unmarried children (natural, adopted or step) not employed on a full-time basis, dependent on the employee for support. (Coverage of dependents may, however, be limited by the terms of the plan and by the terms of the insurance contracts entered into by the Board)

(c) "Retired" - a former employee retired voluntarily or by mandate (before reaching the age of sixty-five years) after April 29, 1971, who receives a periodic benefit from a State Retirement System. Former employees of the West Virginia Board of Regents and a County Board of Education are eligible retirees after April 21, 1972.

(d) "Insured" - an employee, or retired employee, enrolled in the

plan. Also, where required by context, this term shall include the spouse, eligible children, and any named beneficiaries.

(e) "Carrier" - any agency, corporation, insurance company, state fund, or service organization engaged in the business of providing the insurance coverage contemplated by these rules.

### Section 3. Establishment of the Plans.

3.01. The Chairman or, at the direction of the Board, the Executive Secretary, may enter into preliminary negotiations with carriers for the purpose of obtaining information for the Board in establishing plans.

3.02. Determination of Participants - All full-time employees, their spouses and eligible children, and retired employees, their spouses and eligible children are eligible to participate in the plans.

3.03. Benefits - The coverages provided for the various classes of participants shall be limited by the provisions of article 16, chapter 5, Code of West Virginia, as amended, by these rules, and by the terms of the insurance contracts entered into by the Board.

3.04. Premium Payment for Retired Employees - Premiums shall be withheld from retirement benefits and paid to the Board by the Board of Trustees of a State Retirement System.

### Section 4. Implementation of Plans

4.01. Following development of the plan or plans, the Board shall, in writing, invite competent bids from all carriers who are determined by the State Department of Insurance to be properly qualified and licensed to provide the desired coverage. The invitations shall prescribe the time limit for filing of bids.

4.02. Award of Contracts - Contracts will be awarded by the Board within a reasonable time after the time limit prescribed by the invitations for filing bids.

Section 5. Participation in the Plans

5.01. Enrollment

(a) Eligible employees may enroll by completing a form prescribed by the Board and filing same with the payroll officer of the employing agency.

(b) Eligible retirees may enroll by completing a form prescribed by the Board and filing same with a State Retirement System.

(c) Eligible employees and retirees choosing not to enroll must complete a form prescribed by the Board for such purpose and filing same with the payroll officer, or in the case of retirees, by filing with a State Retirement System.

(d) All forms completed by employees and retirees in (a), (b), and (c) above and forms for subsequent changes shall be transmitted to the Executive Secretary for safe keeping.

5.02. Certification of Eligibility - The official receiving the enrollment form shall certify the eligibility of the enrollee to the Executive Secretary and shall make the appropriate provision for deduction of premium payments.

5.03. Changes in Coverage - Discontinuance, resumption, addition and reduction of coverage may be effected by filing a prescribed form with the appropriate official as set out in section 5.01 above.

Section 6. Review

6.01. In the event there is a disagreement between carrier and any insured, the insured shall first apply to the carrier for a determination of the issue.

6.02. Disagreements between the carrier and the insured which cannot be reconciled by the procedure provided by section 6.01 above, and issues

arising under the provisions Article 16, Chapter 5, code of West Virginia, as amended, or under these Rules and Regulations, shall be submitted in writing to the Executive Secretary for a decision.

6.03. Decisions under Section 6.02. shall be issued in writing by the Executive Secretary. The notice of the decision shall give the parties thirty days in which to apply, in writing, to the Board for review.

Decisions of the Board shall be final.

#### Section 7. Expense Fund

7.01. Each participating division, agency, board, commission or department of the state, which operates out of special revenue funds or federal funds or both, shall pay to the Expense Fund the sum of \$5.00 per year per employee member, retiree, and member receiving disability benefits, said sum due at the time any individual becomes a member of the program and payable upon a statement from the West Virginia Public Employee's Insurance Board. Contributions shall not be prorated in the event a member terminates membership in the program or ceases to receive benefits before completion of a year of membership. General membership billings will occur on October 1, 1972, covering administrative costs of the insurance plan for the first year's operation, and July 1 thereafter of each year.