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3 **H. B. 2439**4 (By Delegates Fleischauer, Perdue, Hunt, Brown,
5 Caputo, T. Campbell, Guthrie and Marshall)6 [Introduced January 13, 2011; referred to the
7 Committee on Banking and Insurance then the Judiciary.]8 **FISCAL**
9 **NOTE**10 A BILL to amend the Code of West Virginia, 1931, as amended, by
11 adding thereto a new section, designated §5-16-7f; to amend
12 said code by adding thereto a new section, designated §33-15-
13 22; to amend said code by adding thereto a new section,
14 designated §33-16-18; and to amend said code by adding thereto
15 a new section, designated §33-16D-17, all relating to
16 insurance coverage; and requiring coverage of spouses and
17 dependents for pregnancy and contraceptive services.18 *Be it enacted by the Legislature of West Virginia:*19 That the Code of West Virginia, 1931, as amended, be amended
20 by adding thereto a new section, designated §5-16-7f; that said
21 code be amended by adding thereto a new section, designated §33-15-
22 22; that said code be amended by adding thereto a new section,
23 designated §33-16-18; that said code be amended by adding thereto
24 a new section, designated §33-16D-17, all to read as follows:25 **CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE GOVERNOR,**26 **SECRETARY OF STATE AND ATTORNEY GENERAL;**

1 **BOARD OF PUBLIC WORKS; MISCELLANEOUS AGENCIES,**
2 **COMMISSIONS, OFFICES, PROGRAMS, ETC.**

3 **ARTICLE 16. WEST VIRGINIA PUBLIC EMPLOYEES INSURANCE ACT.**

4 **§5-16-7F. Spouse and dependent pregnancy and contraceptive**
5 **coverage.**

6 Beginning January 1, 2012, any insurance plan in this article
7 that provides insurance coverage for pregnancy or contraceptives
8 for a policy holder may not restrict or exempt coverage for
9 pregnancy or contraceptives for the spouse or dependants of the
10 policy holder.

11 **CHAPTER 33. INSURANCE.**

12 **ARTICLE 15. ACCIDENT AND SICKNESS INSURANCE.**

13 **§33-15-22. Spouse and dependent pregnancy and contraceptive**
14 **coverage.**

15 Beginning January 1, 2012, any insurance plan in this article
16 that provides insurance coverage for pregnancy or contraceptives
17 for a policy holder may not restrict or exempt coverage for
18 pregnancy or contraceptives for the spouse or dependants of the
19 policy holder.

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

21 **§33-16-18. Spouse and dependent pregnancy and contraceptive**
22 **coverage.**

23 Beginning January 1, 2012, any insurance plan in this article

1 that provides insurance coverage for pregnancy or contraceptives
2 for a policy holder may not restrict or exempt coverage for
3 pregnancy or contraceptives for the spouse or dependants of the
4 policy holder.

5 **ARTICLE 16D. MARKETING AND RATE PRACTICES FOR SMALL EMPLOYER**
6 **ACCIDENT AND SICKNESS INSURANCE POLICIES.**

7 **§33-16D-17. Spouse and dependent pregnancy and contraceptive**
8 **coverage.**

9 Beginning January 1, 2012, any insurance plan in this article
10 that provides insurance coverage for pregnancy or contraceptives
11 for a policy holder may not restrict or exempt coverage for
12 pregnancy or contraceptives for the spouse or dependants of the
13 policy holder.

NOTE: The purpose of this bill is to require insurance coverage of spouses and dependents for pregnancy and contraceptive services.

§5-16-7f, §33-15-22, §33-16-18 and §33-16D-17 are new; therefore, they have been completely underscored.