

1 **H. B. 3055**

2  
3 (By Delegates Perdue and Ellington)

4 [Introduced March 22, 2013; referred to the  
5 Committee on Health and Human Resources then Finance.]

6 **FISCAL**  
7 **NOTE**

8  
9  
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 deductibles; extending the plan year by two  
17 additional months for the purpose of calculating deductibles.

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; to amend said  
21 code by adding thereto a new section, designated §33-15-22; to  
22 amend said code by adding thereto a new section, designated §33-16-  
23 18; and to amend said code by adding thereto a new section,  
24 designated §33-16D-17, all to read as follows:

1 **CHAPTER 5. GENERAL POWERS AND AUTHORITY OF THE GOVERNOR, SECRETARY**  
2 **OF STATE AND ATTORNEY GENERAL; BOARD OF PUBLIC WORKS; MISCELLANEOUS**  
3 **AGENCIES, COMMISSIONS, OFFICES, PROGRAMS, ETC.**

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

5 **§5-16-7f. Deductible carryover.**

6 A policy, provision, contract, plan or agreement under this  
7 article shall impose a deductible carryover of at least sixty days.

8 **CHAPTER 33. INSURANCE.**

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

10 **§33-15-22. Deductible carryover.**

11 A policy, provision, contract, plan or agreement under this  
12 article shall impose a deductible carryover of at least sixty days.

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

14 **§33-16-18. Deductible carryover.**

15 A policy, provision, contract, plan or agreement under this  
16 article shall impose a deductible carryover of at least sixty days.

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

19 **§33-16D-17. Deductible carryover.**

20 A policy, provision, contract, plan or agreement under this  
21 article shall impose a deductible carryover of at least sixty days.

NOTE: The purpose of this bill is to require an extended

deductible period for insurance equal to the plan year plus two additional months.

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