

**H. B. 2876**

(By Delegates Perry, Hartman, Walters,  
Hall, Reynolds, Ashley and Azinger)

(By Request of Insurance Commissioner)

[Introduced January 26, 2011; referred to the  
Committee on the Judiciary then Finance.]

A BILL to amend and reenact §33-48-7b of the Code of West Virginia, 1931, as amended, relating to expanding eligibility for subsidies to enrollees in the model health plan for uninsurable individuals.

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

That §33-48-7b of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 48. MODEL HEALTH PLAN FOR UNINSURABLE INDIVIDUALS ACT.**

**§33-48-7b. Surplus available to subsidize premiums.**

Whenever the board determines that the account created pursuant to section seven-a of this article contains a surplus above those amounts necessary to provide fully for the expected costs of claims and other expenses listed in subsection (a), section seven of this article, the plan may use such surpluses to subsidize the premium of ~~certain low income enrollees whose~~ eligibility shall be established by legislative rule with an annual

1 average household income at or below four hundred percent of the  
2 federal poverty level. ~~The board shall propose rules for~~  
3 ~~legislative approval in accordance with the provisions of article~~  
4 ~~three, chapter twenty nine a of this code to establish criteria for~~  
5 ~~enrollees with low income eligible for premium subsidy pursuant to~~  
6 ~~this section.~~

NOTE: The purpose of this bill is to expand the eligibility for subsidies to enrollees in the model health plan for uninsurable individuals.

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