

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **House Bill 2623**

By Delegates Sheedy, Coop-Gonzalez, and Foggin

[Introduced February 19, 2025; referred to the  
Committee on Health and Human Resources then  
Finance]

1 A BILL to amend and reenact the Code of West Virginia, 1931, as amended, by repealing §5-16-1,  
 2 §5-16-2, §5-16-3, §5-16-4, §5-16-5, §5-16-5a, §5-16-7, §5-16-7a, §5-16-7b, §5-16-7c, §5-  
 3 16-7d, §5-16-7e, §5-16-7f, §5-16-7g, §5-16-8, §5-16-8a, §5-16-9, §5-16-10, §5-16-11, §5-  
 4 16-12, §5-16-12a, §5-16-12b, §5-16-13, §5-16-14, §5-16-15, §5-16-16, §5-16-17, §5-16-  
 5 18, §5-16-19, §5-16-20, §5-16-21, §5-16-22, §5-16-23, §5-16-24, §5-16-24a, §5-16-25,  
 6 §5-16-26, §5-16-28, §5-16-29, §5-16-30, §5-16-31, and §5-16-32; and inserting thereto a  
 7 new section, designated §5-16-33; all relating to repealing the West Virginia Public  
 8 Employees Insurance Act; and providing that beginning January 1, 2026, health insurance,  
 9 dental insurance, and vision insurance for public employees shall be provided by contract,  
 10 the term period for which shall be for four years.

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

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

### **§5-16-1. Short title; legislative intent.**

1 [Repealed.]

### **§5-16-2.**

### **Definitions.**

1 [Repealed.]

### **§5-16-3. Composition of Public Employees Insurance Agency.**

1 [Repealed.]

### **§5-16-4. Public Employees Insurance Agency Finance Board.**

1 [Repealed.]

### **§5-16-5. Powers and duties of the finance board.**

1 [Repealed.]

### **§5-16-5a. Retiree premium subsidy from Retiree Health Benefit Trust for hires prior to July 1, 2010.**

1 [Repealed.]

### **§5-16-7. Authorization to establish plans; mandated benefits; optional plans; separate**

rating for claims experience purposes.

1 [Repealed.]

**§5-16-7a. Additional mandated benefits; third party reimbursement for colorectal cancer examination and laboratory testing.**

1 [Repealed.]

**§5-16-7b. Coverage for telehealth services.**

1 [Repealed.]

**§5-16-7c. Required coverage for reconstruction surgery following mastectomies.**

1 [Repealed.]

**§5-16-7d. Coverage for patient cost of clinical trials.**

1 [Repealed.]

**§5-16-7e. Definitions.**

1 [Repealed.]

**§5-16-7f. Prior authorization.**

1 [Repealed.]

**§5-16-7g. Coverage for prescription insulin drugs.**

1 [Repealed.]

**§5-16-8. Conditions of insurance program.**

1 [Repealed.]

1 **§5-16-8a. Air-ambulance fees.**

1 [Repealed.]

**§5-16-9. Authorization to execute contracts.**

1 [Repealed.]

**§5-16-10. Contract provisions for group hospital and surgical, group major medical, group prescription drug and group life, and accidental death insurance for retired employees, their spouses, and dependents.**

1 [Repealed.]

**§5-16-11. To whom benefits paid.**

1 [Repealed.]

**§5-16-12. Misrepresentation by employer, employee or provider; penalty.**

1 [Repealed.]

**§5-16-12a. Inspections; violations and penalties.**

1 [Repealed.]

**§5-16-12b. Privileges and immunity.**

1 [Repealed.]

**§5-16-13. Payment of costs by employer and employee; spouse and dependent coverage; involuntary employee termination coverage; conversion of annual leave and sick leave authorized for health or retirement benefits; authorization for retiree participation; continuation of health insurance for surviving dependents of deceased employees; requirement of new health plan; limiting employer contribution.**

1 [Repealed.]

**§5-16-14. Program qualifying for favorable federal income tax treatment.**

1 [Repealed.]

**§5-16-15. Optional dental, optical, disability, and prepaid retirement plan, and audiology and hearing-aid service plan.**

1 [Repealed.]

**§5-16-16. Preferred provider plan.**

1 [Repealed.]

**§5-16-17. Preexisting conditions not covered; defined.**

1 [Repealed.]

**§5-16-18. Payment of costs by employer; schedule of insurance; special funds created; duties of Treasurer with respect thereto.**

1 [Repealed.]

**§5-16-19. Authorization to take advantage of acts of congress, accept gifts, grants and matching funds.**

1 [Repealed.]

**§5-16-20. Expense fund.**

1 [Repealed.]

**§5-16-21. No member or employee of public employees insurance agency shall gain directly or indirectly from any contract or contracts provided for hereunder; criminal penalties.**

1 [Repealed.]

**§5-16-22. Permissive participation; exemptions.**

1 [Repealed.]

**§5-16-23. Members of Legislature may be covered if cost of the entire coverage is paid by such members.**

1 [Repealed.]

**§5-16-24. Rules for administration of article; eligibility of certain retired employees and dependents of deceased members for coverage; employees on medical leave of absence entitled to coverage; life insurance.**

1 [Repealed.]

**§5-16-24a. Paper transactions.**

1 [Repealed.]

**§5-16-25. Reserve fund.**

1 [Repealed.]

**§5-16-26. Quarterly report.**

1 [Repealed.]

**§5-16-28. Incorporation of the coverage for 12-month refill for contraceptive drugs.**

1 [Repealed.]

**§5-16-29. Limitation on PEIA participation.**

1 [Repealed.]

**§5-16-30. PEIA solvency.**

1 [Repealed.]

**§5-16-31. PEIA actuarial study.**

1 [Repealed.]

**§5-16-32. Effective date of amendments.**

1 [Repealed.]

**§5-16-33. Minimum requirements.**

1 (a) Beginning January 1, 2026, health insurance, dental insurance, and vision insurance  
2 for state employees shall be provided by contract.

3 (b) The term period for any insurance contracts entered as described in subsection (a)  
4 shall be for four years.

NOTE: The purpose of this bill is to abolish the West Virginia Public Employees Insurance Act and to instead establish that health, dental, and vision insurance for public employees shall be provided by contract.

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