

SENATE BILL NO. 1189

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Commerce and Energy

on _____)

(Patron Prior to Substitute--Senator Dunnivant)

A BILL to amend and reenact § 38.2-3407.11:4 of the Code of Virginia, relating to disability insurance; disability arising out of childbirth.

Be it enacted by the General Assembly of Virginia:

1. That § 38.2-3407.11:4 of the Code of Virginia is amended and reenacted as follows:

§ 38.2-3407.11:4. Disability arising out of childbirth; minimum benefit.

~~A. Each insurer proposing to issue individual or group accident and sickness insurance policies providing short-term disability income protection coverage whose policies provide coverage for short-term disability arising out of childbirth shall provide coverage for a payable benefit of at least 12 weeks immediately following childbirth for such a disability. Any such policy shall provide 12 weeks of income protection coverage for 12 weeks immediately following childbirth, notwithstanding a disability determination or medical necessity requirement, for any insured who is entitled to 12 weeks of leave immediately following childbirth.~~

~~B. The provisions of this section shall apply to any policy delivered or issued for delivery in the Commonwealth on and after July 1, 2021.~~

2. That the provisions of this act shall apply to any individual or group accident and sickness insurance policy pursuant to § 38.2-3407.11:4 of the Code of Virginia, as amended by this act, renewed, delivered, or issued for delivery in the Commonwealth on or after July 1, 2023.

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