

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE DRS35216-LN-80 (2/17)

Short Title: Out-of-State Insurance Policies/Allow Purch.

(Public)

Sponsors: Senator Berger of Rockingham.

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE INSURERS LICENSED TO SELL HEALTH INSURANCE
3 POLICIES IN OTHER STATES TO OFFER HEALTH INSURANCE POLICIES IN THIS
4 STATE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 50 of Chapter 58 of the General Statutes is amended by
7 adding the following new Part to read:

8 "Part 7. Policies Offered by Out-of-State Insurers.

9 **"§ 58-50-238. Accident and health policies offered by insurers licensed in other states
10 permitted.**

11 Notwithstanding any other provision of this Chapter to the contrary, an insurer licensed to
12 offer or issue accident and health policies in another state may offer and issue a group, blanket,
13 or individual accident and health policy to residents of this State. Likewise, a third-party
14 administrator licensed in another state to effect coverage under a health insurance policy issued
15 to a resident of this State by an out-of-state insurer may effect coverage under the health
16 insurance policy issued by an insurer licensed in a state other than this State. Policies issued to
17 individuals, employers, or other entities by insurers or effectuated by third-party administrators
18 licensed in another state are deemed made or effectuated within this State. As a condition of
19 offering or issuing a health insurance policy, or effectuating a health insurance policy, pursuant
20 to this section, the out-of-state insurer or third-party administrator, as applicable, shall submit
21 to the jurisdiction of the courts of this State, and every policy issued by the out-of-state insurer
22 or effectuated by a third-party administrator shall contain a provision indicating that the
23 out-of-state insurer or third-party administrator submits to the jurisdiction of this State's courts
24 for resolving disputes arising under the policy. As used in this section, 'third-party
25 administrator' has the meaning applied under G.S. 58-56-1."

26 **SECTION 2.** This act becomes effective January 1, 2010.

