

By: Senator(s) Carmichael, Jackson (11th)

To: Insurance

SENATE BILL NO. 2586

1 AN ACT TO AMEND SECTION 83-9-211, MISSISSIPPI CODE OF 1972,
2 TO ENLARGE THE BOARD OF DIRECTORS OF THE COMPREHENSIVE HEALTH
3 INSURANCE RISK POOL ASSOCIATION TO INCLUDE TWO ADDITIONAL MEMBERS
4 TO BE APPOINTED BY THE COMMISSIONER OF INSURANCE; AND FOR RELATED
5 PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 83-9-211, Mississippi Code of 1972, is
8 amended as follows:

9 83-9-211. (1) There is created a nonprofit legal entity to
10 be known as the "Comprehensive Health Insurance Risk Pool
11 Association." All insurers, as a condition of doing business,
12 shall be members of the association.

13 (2) (a) The association shall operate subject to the
14 supervision and approval of an eleven-member board of directors
15 consisting of:

16 (i) Six (6) members appointed by the Insurance
17 Commissioner. Two (2) of the commissioner's appointees shall be
18 chosen from the general public and shall not be associated with
19 the medical profession, a hospital or an insurer. Two (2)
20 appointees shall be representatives of medical providers. One (1)
21 appointee shall be a representative of businesses employing fewer
22 than one hundred (100) employees. One (1) appointee shall be a
23 representative of health insurance agents. Any board member
24 appointed by the commissioner may be removed and replaced by him
25 at any time without cause.

26 (ii) Three (3) members appointed by the
27 participating insurers, at least one (1) of whom is a domestic
28 insurer.



29 (iii) The Chair of the Senate Insurance Committee
30 and the Chair of the House Insurance Committee, or their
31 designees, who shall be nonvoting, ex officio members of the
32 board.

33 (iv) Of those initial members appointed by the
34 Insurance Commissioner, one (1) shall serve for a term of one (1)
35 year, two (2) for a term of two (2) years, and one (1) for a term
36 of three (3) years. Of those initial members appointed by the
37 participating insurers, one (1) shall serve for a term of one (1)
38 year, one (1) shall serve for a term of two (2) years, and one (1)
39 shall serve for a term of three (3) years. The appointing
40 authority shall designate the period of service of each initial
41 appointee at the time of appointment.

42 (v) All appointments after the initial term shall
43 be for a term of three (3) years.

44 (b) The board of directors shall elect one (1) of its
45 members as chairman.

46 (c) Board members may be reimbursed from monies of the
47 association for actual and necessary expenses incurred by them as
48 members in the manner and amount provided in Section 25-3-41,
49 Mississippi Code of 1972, but shall not otherwise be compensated
50 for their services.

51 (3) The association shall adopt a plan in accordance with
52 Sections 83-9-201 through 83-9-222 and submit its articles, bylaws
53 and operating rules to the State Department of Insurance for
54 approval. If the association fails to adopt such plan and
55 suitable articles, bylaws and operating rules within ninety (90)
56 days after the appointment of the board, the State Department of
57 Insurance shall adopt rules to effectuate the provisions of
58 Sections 83-9-201 through 83-9-222; and such rules shall remain in
59 effect until superseded by a plan and articles, bylaws and
60 operating rules submitted by the association and approved by the
61 State Department of Insurance.



62 (4) Individual board members shall not be liable and shall
63 be immune from suit at law or equity for any conduct performed in
64 good faith and which is within the subject matter over which they
65 have been given jurisdiction.

66 **SECTION 2.** This act shall take effect and be in force from
67 and after its passage.

