

By: Representative Chism

To: Insurance

HOUSE BILL NO. 548  
(As Sent to Governor)

1 AN ACT TO ALLOW THE COMMISSIONER OF INSURANCE TO DISAPPROVE A  
2 POLICY FORM, AMENDATORY RIDER OR ENDORSEMENT IF THE COMMISSIONER  
3 FINDS THAT A PORTION OR ALL OF THE POLICY FORM, AMENDATORY RIDER  
4 OR ENDORSEMENT IS IN ANY RESPECT IN VIOLATION OF ANY STATE OR  
5 FEDERAL LAWS, OR CONTAINS OR INCORPORATES BY REFERENCE ANY  
6 INCONSISTENT, AMBIGUOUS OR MISLEADING CLAUSES OR EXCEPTIONS AND  
7 CONDITIONS; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** (1) The Commissioner of Insurance may disapprove  
10 a policy form, amendatory rider or endorsement currently in effect  
11 if the commissioner finds that a portion or all of the policy  
12 form, amendatory rider or endorsement:

13 (a) Is in any respect in violation of any state or  
14 federal laws; or

15 (b) Contains or incorporates by reference any  
16 inconsistent, ambiguous or misleading clauses or exceptions and  
17 conditions.

18 (2) If the commissioner disapproves a policy form,  
19 amendatory rider or endorsement currently in effect, the  
20 commissioner shall issue an order only after a hearing held on not



21 less than thirty (30) days written notice to the filing insurer.  
22 The insurer may waive the hearing. The commissioner shall issue  
23 an order within thirty (30) days after the close of the hearing or  
24 within thirty (30) days after the filing of a waiver of hearing  
25 and shall specify in what respects the policy form, amendatory  
26 rider or endorsement fails to meet the requirements of this  
27 section. The commissioner may extend the thirty-day period for  
28 issuance of an order for an additional thirty (30) days.

29 (3) This section may apply to any health insurance policy or  
30 employee health benefit plan which is delivered, renewed, issued  
31 for delivery, or otherwise contracted for in this state, but shall  
32 not apply to any policy of disability income insurance or  
33 long-term care insurance.

34 (4) The commissioner may promulgate rules and regulations  
35 necessary to carry out the provisions of this section.

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

