

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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SENATE BILL 725

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

Sponsors: Senators Berger of Rockingham; Hunt and Tillman.

Referred to: Commerce.

March 24, 2009

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE INSURERS LICENSED TO SELL HEALTH INSURANCE  
POLICIES IN OTHER STATES TO OFFER HEALTH INSURANCE POLICIES IN THIS  
STATE.

The General Assembly of North Carolina enacts:

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

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

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

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

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

