

Virginia Legislative Update: April 18th, 2024

The three bills we have been tracking, HB 315, SB 256, and SB 138, have successfully passed through the Virginia General Assembly. Two bills underwent revisions from the Governor but changes were subsequently approved by both houses. In this legislative update, we spotlight the amendments, detailing the minor additions or retractions below.

Bills:

1. **SB 256: Holding Insurers Accountable**

The final version includes a provision that caps the insurance company's liability at \$500,000 in cases of bad faith.

This maximum amount is specified explicitly in the final version by clarifying that the liability amount "cannot exceed \$500,000" vs. the old text of "up to \$500,000."

2. **SB 138: Wrongful Death**

SB 138, concerning permissible venue for wrongful death actions, saw no additional changes from the Governor.

Previous iterations, notably the removal of specific language, will eliminate the possibility of a case being permanently dismissed due to a discrepancy between where the action can be brought and where the administrator is qualified.

3. **House Bill 315: Stricter Requirements of Medicaid**

Initially, the Department of Medical Assistance Services (DMAS) was required to respond within 30 days of receiving a request from the injured person. However, in the final version, this timeline was extended to 60 days. Furthermore, the final version incorporates a provision necessitating the Department to report quarterly to the Senate Committee on Finance and Appropriations and the House Committee on the unresponded offers of payment.