

The number of bill filings this week was substantially less than last week, and generally speaking, the pace of things was not so hectic. However, there are a number of things to discuss, and I will get right to them.

**HB 2 – No Smoking in Public Places** was considered on the floor of the House this week. It passed second reading in the House yesterday by a vote of 117-1, and late this morning passed third reading on a non-roll call vote. It will now be sent to the Senate.

The House also considered **HB 212 – Health Insurance Pool Pilot Program**. You will recall this is the Buncombe County association health plan initiative. This legislation passed the House this week by a vote of 116-0. It will now be sent to Senate Commerce.

The House Insurance Committee met this week, and considered **SB 287 – State Health Plan/Good Health Initiatives**. This legislation passed the Senate unanimously. It would provide a \$250 million infusion to the State Health Plan and would make various benefit revisions to the Plan. The bill will need to go to Appropriations as it continues to be discussed in the House.

Last week saw the introduction of **SB 957 – Special Enrollment Period/Group Health Insurance**. David Smith reported to me on the introduction of this legislation, and thanks to him for bringing it to our attention. Sen. Martin Nesbitt of Asheville filed this bill on March 25, and it would create a special enrollment period for qualified beneficiaries who were involuntarily terminated between September 1 and now, but who work for businesses not covered by COBRA. As David noted, this legislation would essentially have North Carolina's small employers offer a similar opportunity as exists under the federal American Recovery and Reinvestment Act of 2009. Thanks again to David for his catch, and note that the calendar for Senate Commerce for Tuesday, April 7, 2009, includes this bill on its lengthy agenda (11 bills in total).

For those of you with a P&C and auto insurance interest, please note the following:

Today, Representatives Jerry Dockham and Van Braxton filed **HB 964 – Insurance Guaranty Association Amendments**. This legislation would expand the discretionary powers of the IGA to allow it to contract as a servicing facility for other entities. It would also broaden the immunity provisions for the IGA to include within them the powers and duties granted by statute to the Association.

Also note that **HB 889 – Structured Settlement Annuities/Insurance Guaranty Association** was filed on Tuesday, March 31. It is the House equivalent of recently filed **SB 780**, and was introduced by Representatives Haire, Love, Blue and Faison.

On the workers' compensation front, note that **HB 1022 – Duration of Total Disability** was introduced this week by Representatives Goforth, Folwell, Hill and Rhyne. It is the House companion to **SB 975**, and serves to place an outer limit on disability payments.

Also filed this week was companion legislation to **SB 1029 – PEO Amendments**. Representative Goforth introduced its House counterpart, **HB 1023**.

**HB 893 – Auto Insurance Diminution in Value** was introduced by Representatives Justice and Grady on Tuesday, March 31. It is the House companion to **SB 660**.

There was minimal activity of interest in the House Insurance and Senate Commerce Committees this week. Specifically, there were no developments concerning homeowners insurance and coastal legislators with an interest in staying Commissioner Long's rate increases as approved last November.

That should do it for now. I will stay in touch as the Session continues, and would welcome your questions, comments and learned observations at any time.

**Robert C. Paschal**

Attorney

Young Moore and Henderson, PA

PO Box 31627

Raleigh, NC 27622

919-782-6860

Fax: 919-782-6753

Direct Dial: 919-861-5107