

90 rendered in accordance with a recognized religious method of healing.

91 (4) The insured may waive for the named insured and the named insured's spouse only  
92 the loss of gross income benefits of Subsection (1)(b)(i) if the insured states in writing that:

93 (a) within 31 days of applying for coverage, neither the insured nor the insured's spouse  
94 received any earned income from regular employment; and

95 (b) for at least 180 days from the date of the writing and during the period of insurance,  
96 neither the insured nor the insured's spouse will receive earned income from regular  
97 employment.

98 (5) This section does not:

99 (a) prohibit the issuance of a policy of insurance providing coverages greater than the  
100 minimum coverage required under this chapter; or

101 (b) require the segregation of those minimum coverages from other coverages in the  
102 same policy.

103 (6) Deductibles are not permitted with respect to the insurance coverages required  
104 under this section.

105 Section 2. Section 31A-22-309 is amended to read:

106 **31A-22-309. Limitations, exclusions, and conditions to personal injury**  
107 **protection.**

108 (1) (a) A person who has or is required to have direct benefit coverage under a policy  
109 which includes personal injury protection may not maintain a cause of action for general  
110 damages arising out of personal injuries alleged to have been caused by an automobile  
111 accident, except where the person ~~H→~~ **[presents prima facie evidence that the person]** ~~←H~~ has  
111a sustained

112 one or more of the following:

113 (i) death;

114 (ii) dismemberment;

115 (iii) permanent disability or permanent impairment based upon objective findings;

116 (iv) permanent disfigurement; ~~[or]~~

117 (v) a bone fracture; or

118 ~~[(v)]~~ (vi) medical expenses to a person in excess of \$3,000.

119 (b) Subsection (1)(a) does not apply to a person making an uninsured motorist claim.

120 (2) (a) Any insurer issuing personal injury protection coverage under this part may only