

WYOMING DEPARTMENT OF INSURANCE

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Bulletin 2018-1

EXTENSION OF RENEWAL OF TRANSITION PLANS

This Bulletin is directed to all insurers issuing health and disability insurance policies; and all Wyomingites enrolled in health and disability insurance policies in the individual and small group markets. The purpose of this Bulletin is to extend the Department's position regarding the renewal of ACA transitional policies through plan year 2019.

On March 5, 2014, the Centers for Medicare and Medicaid Services ("CMS") issued a bulletin providing for a two-year extension that would allow insurers to renew existing non-grandfathered policies that do not comply with all requirements of the Affordable Care Act (hereinafter "transitional policies"). The Department subsequently permitted transitional policies to be renewed in Wyoming at the insurers' discretion. On February 29, 2016, CMS announced an extension of transitional policies to policy years beginning on or before October 1, 2017 so long as all transitional policies end by December 31, 2017. The Department subsequently again permitted such policies to be renewed in Wyoming at the insurers' discretion. On February 23, 2017, CMS announced an additional extension of transitional policies to policy years beginning on or before October 1, 2018, so long as all transitional policies end by December 31, 2018. The Department permitted such policies to be renewed in Wyoming at the insurers' discretion. On April 9, 2018, CMS announced an additional extension of transitional policy years beginning on or before October 1, 2019, as long as all transitional policies end by December 31, 2019.

Therefore, insurers may determine at their discretion whether to renew transitional policies that have been continually renewed since 2014, so long as the determination is made on a non-discriminatory basis. If insurers choose to renew their transitional policies, the policies may be renewed for no longer than 12 months. Insurers may choose from the following renewal options:

- All individual and small group transitional policies;
- Only individual transitional policies; or
- Only small group transitional policies.

The Department is not requiring insurers to renew their transitional policies. Furthermore, consumers may not purchase new transitional policies or switch to a different insurer to replace an existing transitional policy. Transitional policies that have been canceled cannot be reinstated. Consumers should understand that rates for renewals of transitional policies, as with all policies, may increase. It may be in an individual's best interest to explore all policy options.

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