

THE STATE




OF WYOMING

**Mark Gordon**  
Governor

***Insurance Department***

**Jeffrey P. Rude**  
Insurance  
Commissioner

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To: All Companies Writing Individual & Small Group Health Insurance in Wyoming  
From:  Jeffrey P. Rude, Insurance Commissioner  
Date: June 10, 2020  
Subject: Extension of Transition Plans

On January 31, 2020, the Center for Consumer Information and Insurance Oversight (CCIIO) issued an Insurance Standards Bulletin regarding the Extension of Limited Non-Enforcement Policy through 2021. This CCIIO bulletin extended the Centers for Medicare & Medicaid Services' (CMS) policy to not take enforcement action against certain non-grandfathered health insurance coverage in the individual and small group market that is out of compliance with certain specified market reforms. The extended non-enforcement determination applied to policy years beginning on or before October 1, 2021, provided that all such coverage comes into compliance with the specified requirements by January 1, 2022. In other words, states were given the option to extend transitional or "grandmothered" plans for individual and small group health insurance plans for policy years beginning on or before October 1, 2021, provided that all policies end by January 1, 2022.

Pursuant to the option provided to the states by CCIIO, the State of Wyoming will allow transitional policies for both the individual and small group health insurance markets to continue until January 1, 2022. A carrier is not required to continue to offer the transitional policies and may discontinue them, subject to state and federal rules on discontinuance, at their discretion. The Department advises insurers to continue to monitor CCIIO's website for any subsequent guidance that may be issued on this subject and to follow it accordingly. As before, all other plans issued after January 1, 2014 must be compliant with the Affordable Care Act (ACA).

If insurers choose to renew their transitional policies, the policies may be renewed for no longer than 12 months and must end by January 1, 2022. The Department is not requiring insurers to renew their transitional policies. Insurers may determine at their discretion whether to renew transitional policies, so long as the determination is made on a non-discriminatory basis.

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 cancelled cannot be reinstated.

Questions regarding this notice can be directed to: Denise Burke, Senior Health Policy Analyst at [Denise.Burke@wyo.gov](mailto:Denise.Burke@wyo.gov) or Tana Howard, Section Manager at [Tana.Howard@wyo.gov](mailto:Tana.Howard@wyo.gov). During the COVID-19 crisis, the DOI remains open; however, many employees are working remotely. The DOI main desk can be reached at 307-777-7401 and the receptionist will see that your calls are directed to the appropriate person.