



Mark Gordon
Governor

Insurance Department

Tom Glause
Commissioner

106 East 6th Avenue ♦ Cheyenne, Wyoming 82002

To: All Companies Writing Individual and Small Group Health Insurance in Wyoming

From: Tom Glause, Wyoming Insurance Commissioner *Tg*

Date: March 28, 2019

Subject: Extension of Transition Plans

On March 25, 2019, the Centers for Medicare & Medicaid Services (CMS)/Center for Consumer Information and Insurance Oversight (CCIIO) issued guidance that allows states 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, 2020, provided that all policies end by January 1, 2021. This notice 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 CCIIO bulletin can be viewed at <https://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/Limited-Non-Enforcement-Policy-Extension-Through-CY2020.pdf>.

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, 2021. 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 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, 2021. 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 canceled cannot be reinstated.

Questions regarding this notice can be directed to: Denise Burke, Senior Health Policy Analyst at Denise.Burke@wvo.gov or by phone at (307) 777-2450; or Peter Greff, Section Manager at Peter.Greff@wvo.gov or by phone at (307) 777-2448.