

***Insurance Department*****Tom Glause**
Commissioner106 East 6th Avenue ♦ Cheyenne, Wyoming 82002MEMORANDUM

TO: All Insurers Licensed to Transact Business in Wyoming

FROM: Brittany Buss, Insurance Standards Consultant

DATE: March 2, 2016

RE: New Requirements Regarding Medical Necessity Review Rights

On October 13, 2015 the Wyoming Insurance Department updated the regulation Chapter 63 regarding Medical Necessity Review Rights, pursuant to House Bill 57 enacted during the 2015 General Session of the Legislature. The purpose of this regulation is to update the uniform standards for giving notice to claimants of their right to obtain an independent review of any denial of an insurance claim on the basis of not medically necessary, or on a similar basis, and to establish internal and external review procedures to assure that claimants under any insurance policy have the opportunity for independent review. The summary of changes for this regulation are as follows:

- When a consumer has requested external review and an insurer has determined that the request is eligible, the insurer must provide the health information that was considered in making the claim denial to the Independent Review Organization within five (5) days.
- In a request by the claimant to have additional information reviewed by the IRO, the IRO must then send additional information submitted by the claimant to the issuer within one (1) business day of receipt.
- The cumulative annual external review fee for any claimant cannot exceed \$75.
- Upon receipt of a notice of decision that a claim denial will be reversed, the commissioner will refund the fee to the claimant.
- A claimant who intends to file for an external review will have one hundred twenty (120) days from the receipt of the notice of final claim denial to file for external review (the previous time frame was 60 days).
- All insurance companies who use medical necessity language to provide for the settlement of a claim for medical services, procedures, or supplies provided by a healthcare provider, (or other similar language) are now included under the medical necessity review rights standard. Previously, only disability insurers were required to follow medical necessity review rights.
- For more information regarding External Review and Medical Necessity Review Rights, please visit the Wyoming Department of Insurance website at <http://doi.wyo.gov>.