

HOUSE BILL NO. HB0039

Insurance benefits-usual, customary and reasonable.

Sponsored by: Representative(s) Gilmore and Senator(s)
Jennings and Scott

A BILL

for

1 AN ACT relating to insurance; modifying provisions for
2 review of claims denied upon application of usual,
3 customary and reasonable standard; prohibiting denial of
4 payment for medical charges as specified; specifying
5 application; and providing for an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 26-40-103(a)(i) and by creating a new
10 paragraph (iv) is amended to read:

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12 **26-40-103. Payment of claims.**

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14 (a) If any disability insurance policy provides for
15 settlement of a claim for payment of medical services or

1 procedures provided by a health care provider using a
2 usual, customary and reasonable basis the insurer shall:

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4 (i) Submit to the department upon request
5 statistical data of health care provider's charges on which
6 the insurer bases payment of claims. Such data shall be
7 submitted upon request of the commissioner, ~~provided,~~
8 ~~however, no insurer may be required to submit data more~~
9 ~~than once every six (6) months~~ The commissioner shall
10 request such data upon receiving within any three (3) month
11 period two (2) or more written complaints from insureds who
12 have been denied payment for the full amount of a health
13 care provider's charge based upon application of usual,
14 customary and reasonable criteria. The data submitted shall
15 contain only charges for services performed not more than
16 one (1) year prior to the date of the most recent data;

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18 (iv) Not refuse to pay or otherwise deny any
19 part of a claim for payment of medical services or
20 procedures provided by a health care provider based upon
21 application of usual, customary and reasonable criteria if
22 the charge is within one hundred ten percent (110%) of the
23 insurer's calculation of the usual, customary and
24 reasonable charge for the service or procedure.

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2 **Section 2.** This act applies to disability insurance
3 policies and certificates of coverage issued, renewed,
4 delivered or issued for delivery in this state on or after
5 July 1, 2010.

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7 **Section 3.** This act is effective July 1, 2010.

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(END)