

ORIGINAL SENATE
FILE NO. SF0069

ENROLLED ACT NO. 28, SENATE

SIXTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING
2017 GENERAL SESSION

AN ACT relating to insurance; amending the small employer health reinsurance program; repealing unnecessary provisions; and providing for an effective date.

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

Section 1. W.S. 26-19-307(a) through (e) and (j)(iv) is amended to read:

26-19-307. Small employer carrier reinsurance program.

(a) There is hereby created a nonprofit entity to be known as the "Wyoming small employer health reinsurance program-" or "WySEHRP."

(b) Within sixty (60) days of ~~the effective date of this act~~ a written request by the commissioner, each small employer carrier shall make a filing with the commissioner containing the carrier's net health insurance premium derived from health benefit plans delivered to small employers in this state in the previous calendar year.

(c) ~~Within sixty (60) days of the effective date of this act the commissioner shall give notice to all participating carriers of the time and place for the initial organizational meeting, which shall take place within one hundred twenty (120) days of the effective date. The~~ Participating carriers shall select the initial board nominate board members which shall be subject to approval by the commissioner. ~~The board shall be selected by a weighted vote based upon net health insurance premium derived from health benefit plans written in this state in the previous calendar year in the small employer market. The board shall consist of at least five (5)~~ three (3) and

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not more than ~~nine (9)~~ seven (7) representatives ~~of participating carriers~~ who shall serve three (3) year staggered terms. To the extent possible, the board shall include representation from carriers whose principal health insurance business is in the small employer market, health maintenance organizations and nonprofit health, hospital or medical service corporations. ~~No one (1) carrier including its affiliates, shall be represented by a majority of the board.~~ Members of the board shall be reimbursed from the assets of the program for expenses incurred by them as members of the board but shall not otherwise be compensated by the program for their services. The commissioner or the commissioner's designee shall be an ex officio voting member of the board. In approving the selection of the board, the commissioner shall assure that all participating carriers are fairly represented.

(d) If ~~the initial board is not selected at the organizational meeting~~ at any time there is no board, the commissioner ~~shall~~ may appoint ~~the~~ an initial board. ~~within fifteen (15) days of the organizational meeting.~~

(e) Within one hundred eighty (180) days after the selection or appointment of ~~the~~ an initial board pursuant to subsection (d) of this section, the board shall submit to the commissioner a plan of operation and thereafter any amendments necessary or suitable, to assure the fair, reasonable and equitable administration of the program. ~~The commissioner may, after notice and hearing, approve the plan of operation provided the commissioner determines it is suitable to assure the fair, reasonable and equitable administration of the program, and provides for the sharing of program gains or losses on an equitable and proportionate basis in accordance with the provisions of this section.~~ The plan of operation shall ~~become~~ be

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effective upon approval in writing by the commissioner consistent with the date on which the coverage under this section ~~shall be made~~ is available. Any plan of operation or amendments thereto, submitted to the commissioner by the board pursuant to this subsection shall be deemed approved by the commissioner if not expressly disapproved in writing by the commissioner within ninety (90) days of its receipt by the commissioner.

(j) A participating carrier may reinsure with the program as provided for in this subsection:

(iv) Any eligible small employer group business in force before ~~the~~ a program's plan of operation becomes effective shall ~~not~~ be reinsured by the program ~~until July 1, 1995 and then~~ only if the board determines that sufficient funding sources are available. ~~This restriction shall not apply to newly eligible employees and dependents.~~ The board shall adopt rules and regulations providing conditions under which reinsurance will be issued on employers, employees, or dependents who were subject to riders, endorsements or other contract provisions which restricted or excluded coverage or benefits for specified diseases, medical conditions or services otherwise covered by the plans if the provisions were in force prior to the effective date of the program's plan of operation. The reinsurance may be limited to coverage for the specified diseases, medical conditions or services that had previously been restricted or excluded by the riders, endorsements or other provisions;

Section 2. W.S. 26-19-307(f) is repealed.

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Section 3. This act is effective July 1, 2017.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk