

SENATE FILE NO. SF0069

Small employer health reinsurance program amendments.

Sponsored by: Joint Labor, Health & Social Services Interim Committee

A BILL

for

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

4

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

6

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

9

10 **26-19-307. Small employer carrier reinsurance**  
11 **program.**

12

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

1

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

8

9 (c) ~~Within sixty (60) days of the effective date of~~  
10 ~~this act the commissioner shall give notice to all~~  
11 ~~participating carriers of the time and place for the~~  
12 ~~initial organizational meeting, which shall take place~~  
13 ~~within one hundred twenty (120) days of the effective date.~~  
14 ~~The~~ Participating carriers shall ~~select the initial board~~  
15 nominate board members which shall be subject to approval  
16 by the commissioner. ~~The board shall be selected by a~~  
17 ~~weighted vote based upon net health insurance premium~~  
18 ~~derived from health benefit plans written in this state in~~  
19 ~~the previous calendar year in the small employer market.~~  
20 The board shall consist of at least ~~five (5)~~ three (3) and  
21 not more than ~~nine (9)~~ seven (7) representatives ~~of~~  
22 ~~participating carriers~~ who shall serve three (3) year  
23 staggered terms. To the extent possible, the board shall

1 include representation from carriers whose principal health  
2 insurance business is in the small employer market, health  
3 maintenance organizations and nonprofit health, hospital or  
4 medical service corporations. ~~No one (1) carrier including~~  
5 ~~its affiliates, shall be represented by a majority of the~~  
6 ~~board.~~ Members of the board shall be reimbursed from the  
7 assets of the program for expenses incurred by them as  
8 members of the board but shall not otherwise be compensated  
9 by the program for their services. The commissioner or the  
10 commissioner's designee shall be an ex officio voting  
11 member of the board. In approving the selection of the  
12 board, the commissioner shall assure that all participating  
13 carriers are fairly represented.

14

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

19

20 (e) Within one hundred eighty (180) days after the  
21 selection or appointment of ~~the~~ an initial board pursuant  
22 to subsection (d) of this section, the board shall submit  
23 to the commissioner a plan of operation and thereafter any

1 amendments necessary or suitable, to assure the fair,  
2 reasonable and equitable administration of the program.  
3 ~~The commissioner may, after notice and hearing, approve the~~  
4 ~~plan of operation provided the commissioner determines it~~  
5 ~~is suitable to assure the fair, reasonable and equitable~~  
6 ~~administration of the program, and provides for the sharing~~  
7 ~~of program gains or losses on an equitable and~~  
8 ~~proportionate basis in accordance with the provisions of~~  
9 ~~this section.~~ The plan of operation shall ~~become~~ be  
10 effective upon approval in writing by the commissioner  
11 consistent with the date on which the coverage under this  
12 section ~~shall be made~~ is available. Any plan of operation  
13 or amendments thereto, submitted to the commissioner by the  
14 board pursuant to this subsection shall be deemed approved  
15 by the commissioner if not expressly disapproved in writing  
16 by the commissioner within ninety (90) days of its receipt  
17 by the commissioner.

18

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

21

22 (iv) Any eligible small employer group business  
23 in force before ~~the~~ a program's plan of operation becomes

1 effective shall ~~not~~ be reinsured by the program ~~until July~~  
2 ~~1, 1995 and then~~ only if the board determines that  
3 sufficient funding sources are available. ~~This restriction~~  
4 ~~shall not apply to newly eligible employees and dependents.~~  
5 The board shall adopt rules and regulations providing  
6 conditions under which reinsurance will be issued on  
7 employers, employees, or dependents who were subject to  
8 riders, endorsements or other contract provisions which  
9 restricted or excluded coverage or benefits for specified  
10 diseases, medical conditions or services otherwise covered  
11 by the plans if the provisions were in force prior to the  
12 effective date of the program's plan of operation. The  
13 reinsurance may be limited to coverage for the specified  
14 diseases, medical conditions or services that had  
15 previously been restricted or excluded by the riders,  
16 endorsements or other provisions;

17

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

19

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

21

22

(END)