

HOUSE BILL NO. HB0128

Health insurance-interstate purchase.

Sponsored by: Representative(s) Simpson, Buchanan, Cohee,
Goggles, Hammons, Illoway, Lubnau, Millin,
Pedersen, Quarberg and Teeters and
Senator(s) Coe and Peterson

A BILL

for

1 AN ACT relating to health insurance; authorizing the sale
2 in Wyoming of health insurance by out-of-state insurers
3 without a Wyoming certificate of authority as specified;
4 prescribing required disclaimers; granting rulemaking
5 authority; 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. 26-3-101 by creating a new subsection
10 (c) is amended to read:

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12 **26-3-101. Certificate of authority required;**
13 **exception for out-of-state disability insurance.**

14

1 (c) Notwithstanding any provisions of this section or
2 this title to the contrary, the commissioner shall
3 authorize the purchase of disability insurance by Wyoming
4 residents from foreign insurers without a certificate of
5 authority from this state and without the policy provisions
6 mandated by chapter 18 of this title, subject to the
7 following:

8
9 (i) Each written application for participation
10 in an out-of-state disability insurance plan shall contain
11 the following language in boldface type at the beginning of
12 the document:

13
14 "This policy is primarily governed by the laws of
15 (insert state where the master policy is filed);
16 therefore, all of the rating laws applicable to
17 policies filed in this state do not apply to this
18 policy, which may result in increases in your
19 premium at renewal that would not be permissible
20 in a Wyoming-approved policy. Any purchase of
21 individual health insurance should be considered
22 carefully since future medical conditions may
23 make it impossible to qualify for another
24 individual health policy. For information

1 concerning individual health coverage under a
2 Wyoming-approved policy, please consult your
3 insurance agent or the Wyoming insurance
4 department."

5
6 (ii) Each out-of-state health benefit plan shall
7 contain the following language in boldface type at the
8 beginning of the document:

9
10 "The benefits of this policy providing your
11 coverage are governed primarily by the laws of a
12 state other than Wyoming. While this health
13 benefit plan may provide you a more affordable
14 health insurance policy, it may also provide
15 fewer health benefits than those normally
16 included as state-mandated health benefits in
17 policies in Wyoming. Please consult your
18 insurance agent to determine which state mandated
19 health benefits are excluded under this policy."

20
21 (iii) Insurers issuing policies pursuant to this
22 subsection shall be subject to the Unfair Trade Practices
23 Act, the commissioner's authority to conduct examinations
24 and investigations pursuant to W.S. 26-2-109(b) and the

1 commissioner's authority to issue cease and desist orders
2 pursuant to W.S. 26-2-130;

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4 (iv) The commissioner shall adopt rules and
5 regulations necessary to implement this subsection,
6 including, but not limited to, determining which health
7 insurers located in other states shall be authorized to
8 offer plans to Wyoming residents and determining the manner
9 of approving the health benefit plans offered by those
10 insurers.

11

12 **Section 2.** This act is effective July 1, 2010.

13

14 (END)