

ENROLLED ACT NO. 13, HOUSE OF REPRESENTATIVES

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

AN ACT relating to insurance regulation; extending specified insurance regulations to health maintenance organizations and fraternal benefit societies; amending voucher requirements for insurance disbursements; including voucher requirements for health maintenance organizations and providing parity for insurers previously granted an exclusion; and providing for effective dates.

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

Section 1. W.S. 26-34-135 is created to read:

26-34-135. Application of the annual audited financial reports law and insurance holding company system regulatory act.

(a) The annual audited financial reports law, title 26, chapter 3, article 3 of the Wyoming statutes, shall apply to domestic health maintenance organizations licensed under this chapter.

(b) The Wyoming Insurance Holding Company System Regulatory Act, title 26, chapter 44 of the Wyoming statutes, shall apply to domestic health maintenance organizations licensed under this chapter.

(c) Except for those portions of the Wyoming Insurance Holding Company System Regulatory Act, title 26, chapter 44 of the Wyoming statutes, made applicable by W.S. 26-34-132 and which are in effect prior to January 1, 2017, this section shall be applied to domestic health maintenance organizations licensed under this chapter on and after January 1, 2017.

ENROLLED ACT NO. 13, HOUSE OF REPRESENTATIVES

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

Section 2. W.S. 26-24-130(a), 26-29-226 by creating a new subsection (d), 26-29-231 by creating a new subsection (d), 26-34-106 by creating a new subsection (c), 26-34-107(a) and by creating a new subsection (c), 26-34-109(a)(xxiii), 26-34-111 by creating a new subsection (b), 26-34-121(a)(iii) and 26-34-123(a)(vi) are amended to read:

26-24-130. Voucher required for disbursements.

(a) No insurer shall make any disbursement of ~~twenty-five dollars (\$25.00)~~ seventy-five dollars (\$75.00) or more, unless evidenced by a voucher or other document correctly describing the consideration for the payment and supported by a check or receipt endorsed or signed by or on behalf of the person receiving the money.

26-29-226. Reports.

(d) Chapter 3, article 3 of this code shall apply to every society transacting business in this state except to the extent that the commissioner determines that the nature of fraternal benefit societies render that chapter and article, or any portion thereof, clearly inappropriate.

26-29-231. Suspension, revocation or refusal of license of society.

(d) In making the finding allowed by subsection (a) of this section, the commissioner may consider the factors specified in W.S. 26-3-116(c) and 26-3-132(a) and, upon finding a deficiency, may issue an order consistent with W.S. 26-3-132(b) and pursuant to the procedure established in W.S. 26-3-132(c).

ENROLLED ACT NO. 13, HOUSE OF REPRESENTATIVES

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

26-34-106. Governing body.

(c) Any domestic health maintenance organization shall comply with the requirements applicable to a domestic insurer in W.S. 26-24-129 and shall be subject to the penalties provided in W.S. 26-24-129.

26-34-107. Fiduciary responsibilities.

(a) Any director, officer, employee or partner of a health maintenance organization who receives, handles, collects, disburses or invests funds in connection with the activities of the organization is responsible for those funds in a fiduciary relationship to the organization and shall not violate the prohibitions specified in W.S. 26-24-127.

(c) A health maintenance organization shall not make any disbursement of seventy-five dollars (\$75.00) or more without complying with the requirements specified for insurers in W.S. 26-24-130.

26-34-109. Requirements for group contract, individual contract, evidence of coverage and premiums for health care services.

(a) Every group and individual contract holder is entitled to a group or individual contract. The contract shall not contain provisions or statements which are unjust, unfair, inequitable, misleading, deceptive, or which encourage misrepresentation as defined by W.S. 26-34-117(a). The contract shall contain a clear statement of the following:

ENROLLED ACT NO. 13, HOUSE OF REPRESENTATIVES

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

(xxiii) Grace period as provided in W.S. 26-18-107;

26-34-111. Information to enrollees; claims to be accepted or rejected; attorney's fees.

(b) Any claim for a benefit under a health insurance policy shall be rejected or accepted and paid by the health maintenance organization in accordance with W.S. 26-15-124(a) and (c).

26-34-121. Suspension or revocation of certificate of authority.

(a) The commissioner may suspend or revoke any certificate of authority issued to a health maintenance organization under this chapter if:

(iii) The commissioner finds the continued operation of the health maintenance organization would be hazardous to its enrollees. The commissioner may consider the factors specified in W.S. 26-3-116(c) and 26-3-132(a) when making this finding.

26-34-123. Summary orders and supervision.

(a) Whenever the commissioner determines that the financial condition of any health maintenance organization is such that its continued operation might be hazardous to its enrollees, creditors, or the general public, or that it has violated any provision of this act, he may, after notice and hearing, order the health maintenance organization to take action reasonably necessary to rectify the condition or violation, including but not limited to one (1) or more of the following:

ORIGINAL HOUSE
BILL NO. HB0032

ENGROSSED

ENROLLED ACT NO. 13, HOUSE OF REPRESENTATIVES

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

(vi) Take other steps the commissioner deems appropriate under the circumstances, including those steps authorized in W.S. 26-3-132(b) and (c) for insurers.

Section 3.

(a) The amendment to W.S. 26-34-109 provided by this act is effective January 1, 2017.

ORIGINAL HOUSE
BILL NO. HB0032

ENGROSSED

ENROLLED ACT NO. 13, HOUSE OF REPRESENTATIVES

SIXTY-THIRD LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

(b) Except as provided in subsection (a) of this section, this act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk