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**MARY L. HARTUNG**  
Director

**BULLETIN NO. 00-6**

**DATE: July 27, 2000**

**TO: Individual Health Insurance Carriers**

**FROM: Mary L. Hartung  
Director**

**SUBJECT: Availability of Individual Health Benefit Plans  
July 1, 2000 thru December 31, 2000**

The Department of Insurance has received a number of inquiries from insurers regarding access to individual health benefit plans after July 1, 2000. Amendments to Title 41, Chapter 52 that took effect on July 1, 2000 eliminated the "open enrollment" provisions contained in the Idaho Individual Health Insurance Availability Act. Instead of an open enrollment period, individual carriers in Idaho must now actively offer at all times health benefit plans to individuals, including basic, standard and catastrophic plans. The amendments are the result of House Bill 750, which creates a high risk reinsurance pool for the individual health insurance market in Idaho.

Effective July 1, 2000, Idaho Code § 41-5208(1)(a) provides:

Every individual carrier shall, as a condition of offering health benefit plans in this state to individuals, actively offer health benefit plans to individuals, including the individual basic health benefit plan, the individual standard health benefit plan, the individual catastrophic A health benefit plan and the individual catastrophic B health benefit plan.

Idaho Code § 41-5208(1)(b) requires that an individual carrier issue an individual basic, standard, catastrophic A or catastrophic B health benefit plan to any eligible individual who applies for such a plan and agrees to make the required premium payments and to satisfy the other reasonable provisions of the health benefit plan. However, HB 750, Section 19, provided that the amendments to the Idaho Code shall be in full force and effect on and after July 1, 2000, except that the basic, standard and catastrophic A and catastrophic B health benefit plans shall be available as of January 1, 2001.

In summary, Idaho Code § 41-5208 requires that insurers offering health plans in the individual market in Idaho must actively offer to all individuals at least the basic, standard and catastrophic plans as set forth by statute, but these new basic, standard and catastrophic risk pool plans will not be available until January 1, 2001. The purpose of this bulletin is to inform insurers that the Department will consider individual carriers to be in compliance with the requirements of Section 41-5208(1) if they continue to actively offer to all individuals at least the basic, standard and catastrophic plans currently on file with the Department until the replacement plans become available on January 1, 2001. The Department will view it as a violation of Chapter 52 for a carrier to fail to actively offer at a minimum the current basic, standard and catastrophic plans during this period.

If you have questions regarding any of these matters, please contact Joan Krosch, Health Insurance Coordinator, at (208) 334-4300, or e-mail [jkrosch@doi.state.id.us](mailto:jkrosch@doi.state.id.us).