

State of Idaho
DEPARTMENT OF INSURANCE

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BULLETIN NO. 20-07

DATE: April 22, 2020
TO: Disability/Health Insurance Carriers in Group or Individual Markets
FROM: Dean L. Cameron, Director
SUBJECT: Extension of Transitional Plans Until Further Notice

This Bulletin to carriers in the employer and individual health insurance markets provides guidance regarding the extension of non-grandfathered transitional plans (also known as “grandmothered” plans).

[Bulletin No. 13-05](#) addressed carriers continuing to offer grandmothered individual and small employer policies in existence on October 1, 2013 at their 2014 renewal. Subsequent federal guidance allowed for further extensions of these plans, which the Department chose to allow. The latest CMS [guidance](#), released January 31, 2020, allows states the option of extending the grandmothered plans through December 31, 2021.

CMS has extended these plans on an annual basis since 2013. Recognizing the likelihood of future extensions from CMS, the Department provides for grandmothered plans in the Idaho individual and small group markets to be extended until and unless such extensions are no longer permitted by CMS or the Department rescinds or replaces this bulletin. If CMS fails to authorize any further extensions, the Department will notify carriers that the grandmothered plans can no longer be renewed, and will include applicable dates, noticing requirements and any other relevant information.

The grandmothered plans must continue to comply with the following ACA provisions:

- Elimination of annual dollar limits on EHB as defined by the Idaho benchmark plan, to the extent the grandmothered plans cover EHB
- No pre-existing condition exclusion (small groups)
- Waiting periods not to exceed 90 days (small groups)
- Mental health parity rules (individual plans)

Carriers must continue to abide by the requirements of [Bulletin No. 16-03](#), ensuring all grandmothered plans remain on a calendar year renewal schedule, [Bulletin No. 18-02](#), regarding the treatment of autism spectrum disorder, and other guidance as applicable.

Carriers are required to provide a notice at renewal which informs the individual or small employer of the option to renew the existing coverage or to enroll in a new plan on or off Your

Health Idaho, and also includes the information that some ACA market reforms are not included in their current plans. The notices, available on the Department website for both [individual](#) and [small group](#) grandfathered plans, must be used without modification, and must be mailed without any other materials except for a cover letter, which may include the renewal premium.

If you have questions concerning this bulletin, please contact Kathy McGill or Wes Trexler at the Department of Insurance.