

Please accept this notice in response to the request for comments for the 5-year review of Individual Disability Income Uniform Standard. The Wyoming Insurance Department submits this response based on concerns regarding the preexisting conditions provision in the Uniform Standard. The Department would like to submit the following:

IIPRC Section 3 Policy Provisions (B) (21) – “Preexisting Condition” means a condition for which symptoms existed that would cause an ordinarily **prudent person** to seek diagnosis, care or treatment within **a one year period preceding the effective date** of the coverage of the insured, or for which medical advice or treatment was recommended by a Physician or received from a Physician **within a two-year period preceding the effective date** of the coverage of the insured.

WY 26-15-106 (b) – “This preexisting condition **provision shall not exclude coverage for a period beyond twelve (12) months following the individual's effective date** of coverage and shall **only relate to conditions for which medical advice, diagnosis, care or treatment was recommended or received during the six (6) months immediately preceding the effective date** of coverage or as to a pregnancy existing on the effective date of coverage.”

The COMPACT standard allows for “prudent person” language, which is not allowed in Wyoming. Preexisting conditions can only relate to conditions for which medical, advice, diagnosis, care or treatment was recommended.

The COMPACT standard opens up the look back period for one or two years dependent on whether a person was prudent to get care or not. Wyoming’s look back period is for 6 months, regardless of how a person received advice or treatment.

The COMPACT standard does not have a date in which they do not exclude coverage after the effective date. Wyoming caps this at 12 months after the effective date.

The standards above put in place by the COMPACT’s Individual Disability Income Uniform Standard have a negative impact on the Wyoming consumer, therefore Wyoming would request an amendment to the standard to better benefit the consumer.