

WORKING DRAFT

SENATE FILE NO. _____

Medicaid pharmacy plus program.

Sponsored by: Joint Labor, Health and Social Services
Interim Committee

A BILL

for

1 AN ACT relating to Medicaid; authorizing the department of
2 health to apply for a federal Medicaid waiver to allow
3 specified individuals to participate in a pharmacy plus
4 program; specifying eligibility criteria; requiring rule
5 making; providing for termination of the pharmacy plus
6 program as specified; providing an appropriation; and
7 providing for effective dates.

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

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11 **Section 1.** W.S. 42-4-119 is created to read:

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13 **42-4-119. Pharmacy plus program; eligibility**
14 **criteria; rulemaking; termination of program.**

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1 (a) The department may apply for a demonstration
2 waiver under section 1115 of the federal Social Security
3 Act to allow individuals with income or assets in excess of
4 limits generally established in the state plan to receive
5 services under a pharmacy plus program provided that:

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7 (i) The individual is a beneficiary under the
8 federal Medicare program, who has not been determined to be
9 eligible for full Medicaid benefits under the state plan;

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11 (ii) The total family income of the individual
12 does not exceed two hundred percent (200%) of the federal
13 poverty level in effect on April 1 of that calendar year;
14 and

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16 (iii) An individual determined eligible to
17 receive services under this section shall not be eligible
18 for other services under W.S. 42-4-103, unless the
19 individual otherwise qualifies for such services.
20 Eligibility for assistance under the program created by
21 this section shall not constitute an entitlement and
22 services shall be provided under this section only to the
23 extent funds are available.

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1 (b) The department shall provide assurances to the
2 United States secretary of health and human services
3 necessary to obtain approval of the waiver applied for
4 under this section.

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6 (c) Effective July 1, 2003, or upon federal approval
7 of the waiver applied for under this section, whichever
8 occurs later, the department shall implement the pharmacy
9 plus program to assist eligible individuals with payment
10 and management of prescription drug costs. In implementing
11 the pharmacy plus program, the department may use private
12 sector benefit management approaches, including pharmacy
13 benefit managers, preferred drug lists, prior
14 authorization, pharmacist consultation, provider education,
15 disease state management and variable enrollee cost sharing
16 in the form of annual or monthly premium assessments, per-
17 prescription co-payment requirements, coinsurance,
18 deductibles and coverage limits. The department shall
19 establish through rules and regulations variable enrollee
20 cost sharing provisions under this subsection on a
21 graduated basis, taking into consideration the differing
22 income levels of enrollees and the funding available to the
23 program.

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1 (d) If the federal Medicare program is amended to
2 provide pharmaceutical benefits for recipients under that
3 program, the pharmacy plus program authorized under this
4 section shall terminate upon implementation of the federal
5 Medicare pharmaceutical benefits program.

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7 (e) The department shall project costs of the program
8 created by this section at least quarterly and compare
9 those projected costs against the funds appropriated for
10 the program. If the funds available to the program are
11 insufficient to meet the projected costs of the program,
12 the department shall take action to prevent the program
13 from incurring costs beyond available funds, including
14 taking any of the actions specified in W.S. 42-4-118(e).

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16 **Section 2.** There is appropriated one million four
17 hundred forty-five thousand forty-six dollars
18 (\$1,445,046.00), or as much thereof as is necessary, from
19 the general fund to the department of health for the fiscal
20 year beginning July 1, 2003, to implement the purposes of
21 this act. To the extent any state appropriation from any
22 other revenue source becomes available to implement the
23 purposes of this act, this appropriation is void.

24 *****Staff Comment*****

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