

SENATE FILE NO. SF0084

Developmental disabilities program.

Sponsored by: Management Audit Committee

A BILL

for

1 AN ACT relating to the administration of the government;
 2 requiring reports by the department of health on
 3 developmental disabilities as specified; requiring all rule
 4 adoption proceedings of the department to comply with the
 5 Administrative Procedure Act; establishing a select
 6 committee on developmental programs as specified;
 7 prescribing duties; requiring reports; providing for
 8 appropriations; and providing for an effective date.

9

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

11

12 **Section 1.** W.S. 9-2-103(a) and 9-2-106(a)(vii) are
 13 amended to read:

14

15 **9-2-103. Division administrators; appointment;**
 16 **qualifications; duties; salaries, tenure and removal**
 17 **generally; necessary personnel.**

1

2 (a) The director shall appoint a separate
3 administrator for the divisions of the department of health
4 and he may discharge the administrators as provided in W.S.
5 9-2-1706(c) (ii). Appointments under this subsection shall
6 be subject to the following:

7

8 (i) The administrator for a division dealing
9 primarily with public health shall:

10

11 ~~(i)~~ (A) Have theoretical knowledge and
12 practical and managerial skill and experience which fits
13 him for the position, as determined by the director; and

14

15 ~~(ii)~~ (B) Repealed By Laws 1998, ch. 20, § 2.

16

17 ~~(iii)~~ (C) Administer a program for the
18 supervision of volunteer physicians who provide medical
19 care, assistance or medical administrative services without
20 charge for the medical services rendered in an eligible
21 program in compliance with rules and regulations
22 promulgated by the department. To qualify as an eligible
23 program, the medical services shall be provided in any
24 hospital, clinic, health care facility or institution owned

1 or operated by the state, University of Wyoming or any
2 local government. A disclosure statement shall be signed in
3 advance by the recipients informing them of the physician's
4 limited liability under the program.

5
6 (ii) The administrator for a division dealing
7 primarily with developmental disabilities shall annually on
8 October 1 provide reports by program to the legislature,
9 which reports shall include but not be limited to trend
10 data by fiscal year for:

11
12 (A) The number of ongoing and emergency
13 clients served or put on a waiting list for service;

14
15 (B) Amounts expended, both total and per
16 client average, for ongoing and emergency client service;

17
18 (C) The source of funds for services to
19 newly served clients, whether from excess funding for
20 existing clients, funds appropriated for the waiting list,
21 funds appropriated for emergencies or funds from another
22 source;

23

1 (D) The number of clients projected to
2 become eligible for services in the subsequent year who are
3 not already on a waiting list for service;

4
5 (E) The number of clients who are expected
6 to transition from one (1) category of service eligibility
7 to another category and their total projected costs based
8 upon the aggregate of each client's individual budgeted
9 amount;

10
11 (F) The number of clients who are expected
12 to transition from school district services to department
13 of health services at age twenty-one (21) and their total
14 projected costs based upon the aggregate of each client's
15 individual budgeted amount;

16
17 (G) Specific information on funds
18 transferred between programs within developmental
19 disabilities and between programs within developmental
20 disabilities and other programs within the department of
21 health.

22
23 **9-2-106. Duties and powers of director of department.**
24

1 (a) The director shall:

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3 (vii) Ensure that the department and all of its
4 divisions promulgate reasonable rules and regulations,
5 after consultation with the departmental advisory council,
6 and in compliance with the Wyoming Administrative Procedure
7 Act, for the implementation of all state and federal public
8 health, mental health and medical services laws.

9

10 **Section 2.**

11

12 (a) There is created the select committee on
13 developmental programs consisting of the following members:

14

15 (i) Three (3) members of the Wyoming senate
16 appointed by the president of the senate subject to the
17 following:

18

19 (A) At least one (1) of the appointees
20 shall be a member of the senate labor, health and social
21 services committee;

22

23 (B) Not more than two (2) of the appointees
24 shall be from the same political party.

1

2 (ii) Four (4) members of the Wyoming house of
3 representatives appointed by the speaker of the house of
4 representatives subject to the following:

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6 (A) At least two (2) of the appointees
7 shall be members of the house labor, health and social
8 services committee;

9

10 (B) Not more than three (3) of the
11 appointees shall be from the same political party.

12

13 (b) The president of the senate and the speaker of
14 the house of representatives shall each appoint a
15 cochairman of the select committee. The committee may
16 contract with consultants as necessary.

17

18 (c) The select committee shall:

19

20 (i) Study the state's programs for the
21 developmentally disabled and other states' programs for the
22 delivery of assistance to the developmentally disabled;

23

1 (ii) Identify system changes for improvement in
2 the delivery of services to persons afflicted with
3 developmental disabilities;

4
5 (iii) Sponsor necessary legislation implementing
6 committee recommendations.

7
8 (d) The select committee shall report to the
9 legislature and the governor not later than October 1,
10 2004, on conclusions and recommendations developed under
11 subsection (c) of this section.

12
13 (e) Thirty-five thousand dollars (\$35,000.00) is
14 appropriated from the general fund to the legislative
15 service office to fund activities of the select committee.

16
17 **Section 3.**

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19 (a) In addition to the powers granted in section 2 of
20 this act, the select committee created in section 2 of this
21 act shall study the costs of providing development health
22 and educational services to qualifying preschool children
23 in the state. The committee shall work with the
24 developmental preschool centers in the state in developing

1 the study design and may contract with consultants in
2 conducting the study. The study shall identify the costs
3 of service provision and recommend a mechanism for funding
4 the costs of providing the services. A preliminary report
5 shall be provided to members of the legislature not later
6 than November 1, 2004, and a final report shall be provided
7 by October 1, 2005 and submitted to the management council.

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9 (b) Two hundred fifty thousand dollars (\$250,000.00)
10 is appropriated from the budget reserve account to the
11 legislative service office for purposes of the study
12 required under subsection (a) of this section.

13

14 **Section 4.** The office of planning and administration
15 within the department of health shall review all program
16 manuals and all internal operating procedures and policies
17 affecting services provided by the division of
18 developmental disabilities and ensure that all policies of
19 general applicability are promulgated as rules in
20 accordance with the Wyoming Administrative Procedure Act.

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1 **Section 5.** This act is effective immediately upon
2 completion of all acts necessary for a bill to become law
3 as provided by Article 4, Section 8 of the Wyoming
4 Constitution.

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6

(END)