

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 disabilities programs as
7 specified; prescribing duties; requiring a report;
8 providing for an appropriation; and providing for an
9 effective date.

10

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

12

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

15

1 **9-2-103. Division administrators; appointment;**
2 **qualifications; duties; salaries, tenure and removal**
3 **generally; necessary personnel.**

4
5 (a) The director shall appoint a separate
6 administrator for the divisions of the department of health
7 and he may discharge the administrators as provided in W.S.
8 9-2-1706(c) (ii). Appointments under this subsection shall
9 be subject to the following:

10
11 (i) The administrator for a division dealing
12 primarily with public health shall:

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

17
18 ~~(ii)~~ (B) Repealed By Laws 1998, ch. 20, § 2.

19
20 ~~(iii)~~ (C) Administer a program for the
21 supervision of volunteer physicians who provide medical
22 care, assistance or medical administrative services without
23 charge for the medical services rendered in an eligible
24 program in compliance with rules and regulations

1 promulgated by the department. To qualify as an eligible
2 program, the medical services shall be provided in any
3 hospital, clinic, health care facility or institution owned
4 or operated by the state, University of Wyoming or any
5 local government. A disclosure statement shall be signed in
6 advance by the recipients informing them of the physician's
7 limited liability under the program.

8

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

14

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

17

18 (B) Amounts expended, both total and per
19 client average, for ongoing and emergency client service;

20

21 (C) The source of funds for services to
22 newly served clients, whether from excess funding for
23 existing clients, funds appropriated for the waiting list,

1 funds appropriated for emergencies or funds from another
2 source;

3

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

7

8 (E) The number of clients who are expected
9 to transition from one (1) category of service eligibility
10 to another category and their projected costs;

11

12 (F) The number of clients who are expected
13 to transition from school district services to department
14 of health services at age twenty-one (21) and their
15 projected costs.

16

17 **9-2-106. Duties and powers of director of department.**

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19 (a) The director shall:

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21 (vii) Ensure that the department and all of its
22 divisions promulgate reasonable rules and regulations,
23 after consultation with the departmental advisory council,
24 and in compliance with the Wyoming Administrative Procedure

1 Act, for the implementation of all state and federal public
2 health, mental health and medical services laws.

3

4 **Section 2.**

5

6 (a) There is created the select committee on
7 developmental disabilities programs consisting of the
8 following members:

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10 (i) Three (3) members of the Wyoming senate
11 appointed by the president of the senate subject to the
12 following:

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14 (A) At least one (1) of the appointees
15 shall be a member of the senate labor, health and social
16 services committee;

17

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

20

21 (ii) Four (4) members of the Wyoming house of
22 representatives appointed by the speaker of the house of
23 representatives subject to the following:

24

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

4

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

7

8 (b) The president of the senate and the speaker of
9 the house of representatives shall each appoint a
10 cochairman of the select committee. The committee may
11 contract with consultants as necessary.

12

13 (c) The select committee shall:

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15 (i) Study the state's programs for the
16 developmentally disabled and other states' programs for the
17 delivery of assistance to the developmentally disabled;

18

19 (ii) Identify system changes for improvement in
20 the delivery of services to persons afflicted with
21 developmental disabilities;

22

23 (iii) Sponsor necessary legislation implementing
24 committee recommendations.

1

2 (d) The select committee shall report to the
3 legislature and the governor not later than October 1,
4 2004, on conclusions and recommendations developed under
5 subsection (c) of this section.

6

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

10

11 **Section 3.** The office of planning and administration
12 within the department of health shall review all program
13 manuals and all internal operating procedures and policies
14 affecting services provided by the division of
15 developmental disabilities and ensure that all policies of
16 general applicability are promulgated as rules in
17 accordance with the Wyoming Administrative Procedure Act.

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19 **Section 4.** This act is effective immediately upon
20 completion of all acts necessary for a bill to become law
21 as provided by Article 4, Section 8 of the Wyoming
22 Constitution.

23

24

(END)