

HOUSE BILL NO. HB0338

Department of health review.

Sponsored by: Representative(s) Luthi and Osborn and
Senator(s) Larson and Scott

A BILL

for

1 AN ACT relating to the department of health; providing for
2 a review of the department of health; providing findings;
3 creating a joint legislative-executive committee to review
4 programs and policies of the department; specifying
5 membership and duties of the committee; specifying scope of
6 the review; requiring a report; providing an appropriation;
7 and providing for an effective date.

8

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

10

11 **Section 1.**

12

13 (a) The legislature finds:

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1 (i) That the department of health's budget has
2 increased significantly over the last few bienniums,
3 particularly in the area of health care;
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5 (ii) The current budget review process within the
6 executive branch appears to be inadequate to assess the
7 increasing costs and determining an accurate forecast for
8 budgetary planning;
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10 (iii) A joint legislative-executive committee
11 will assist the executive branch in a review of the
12 department of health's expenditures and fiscal
13 administration.
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15 (b) There is appropriated from the general fund to
16 the legislative service office seventy-five thousand
17 dollars (\$75,000.00) to be used to establish and support a
18 joint legislative-executive committee to review the
19 governor's fact-finding report and recommendations, dated
20 October, 2004, with respect to the department of health's
21 fiscal policies and administration, and to conduct a
22 follow-up review of the issues presented in that report and
23 related issues.
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1 (c) The committee shall consist of eleven (11)
2 members, including:

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4 (i) Three (3) members of the Wyoming house of
5 representatives, with not more than two (2) members from
6 the same political party. The members shall be appointed
7 by the speaker of the house, who shall also appoint one (1)
8 of the members as cochairman of the committee. One (1)
9 member each shall be from:

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11 (A) The house labor, health and social
12 services committee;

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14 (B) The house appropriations committee;

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16 (C) Among the house members of the
17 management audit committee.

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19 (ii) Three (3) members of the Wyoming senate,
20 with not more than two (2) members from the same political
21 party. The members shall be appointed by the president of
22 the senate, who shall also appoint one (1) of the members
23 as cochairman of the committee. One (1) member each shall
24 be from:

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2 (A) The senate labor, health and social
3 services committee;

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5 (B) The senate appropriations committee;

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7 (C) Among the senate members of the
8 management audit committee.

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10 (iii) Five (5) members appointed by the governor
11 as follows:

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13 (A) Two (2) members from the private
14 sector, at least one (1) of whom is employed as an
15 accountant familiar with state accounting and budgetary
16 practices;

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18 (B) One (1) member representing the Wyoming
19 department of administration and information;

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21 (C) One (1) member representing the Wyoming
22 state auditor's office;

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1 (D) One (1) member who is employed in the
2 governor's office.

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4 (d) Members of the task force shall be paid as
5 follows:

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7 (i) Legislative members of the committee shall
8 be paid salary, per diem and travel expenses as provided in
9 W.S. 28-5-101 for their official duties as members of the
10 committee;

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12 (ii) State employees serving on the task force
13 shall receive no additional compensation for serving on the
14 task force, but shall be paid as provided in W.S. 9-3-102
15 and 9-3-103 for travel and per diem expenses incurred for
16 their official duties as members of the task force;

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18 (iii) All other members of the task force shall
19 be paid as provided in W.S. 9-3-102 and 9-3-103 for travel
20 and per diem expenses incurred for their official duties as
21 members of the task force.

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23 (e) State agencies shall provide information and
24 other support to the committee as requested. The

1 legislative service office shall staff the committee. The
2 committee shall meet as often as necessary and shall report
3 with recommendations to the joint labor, health and social
4 services interim committee and the joint appropriations
5 interim committee not later than September 1, 2005.

6
7 (f) The committee shall conduct a comprehensive
8 review of the department of health and all programs
9 administered by the department. The review shall include,
10 but not be limited to, review of:

11
12 (i) The fiscal accountability of the department
13 and its programs;

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15 (ii) The budget accountability of the department
16 and its programs;

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18 (iii) The functionality of the department's
19 management team to make changes necessary to accommodate a
20 stewardship approach to management of the department's
21 budget as part of the overall state budget;

22
23 (iv) The accountability and final authority of
24 the Medicaid program in the areas of:

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2

(A) How the Medicaid program is expanding;

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(B) How Medicaid policy is developed;

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(C) How policy is implemented and enforced;

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(D) How the management of the Medicaid program is structured to supervise staff in each of its related programs.

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(v) The audit policies and procedures used by the department for its programs;

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(vi) The process for review and authorization of claims, payment to providers and mechanisms to override established policies;

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(vii) The quality assurance and utilization of services review efforts of the department to address effectiveness and consistency with written policy;

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(viii) The use and effectiveness of prior authorization policies;

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2 (ix) The eligibility for, limits of and waiver
3 procedures for adult and children programs administered by
4 the department;

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6 (x) The department's state plans required by
7 federal programs;

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9 (xi) The department's federally funded accounts;

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11 (xii) Recent intra-agency, state and federal
12 audits and reviews of the department;

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14 (xiii) The projected schedule for state and
15 federal audits of the department;

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17 (xiv) The structure and organization of the
18 department with respect to the implementation of policies
19 and procedures;

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21 (xv) Any other matters the committee considers
22 relevant.

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1 **Section 2.** 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)