

WORKING DRAFT

HOUSE BILL NO. _____

Developmental disabilities-emergency services.

Sponsored by: Select Committee on Developmental Programs

A BILL

for

1 AN ACT relating to the Wyoming Medical Assistance and
2 Services Act; providing for provision of emergency services
3 for developmental disabilities and adult brain injuries
4 under the Medicaid program; granting rulemaking authority;
5 requiring reports; providing an appropriation; and
6 providing for an effective date.

7

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

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10 **Section 1.** W.S. 42-4-120 by creating a new subsection
11 (f) is amended to read:

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13 **42-4-120. Contracts for waiver services; authority of**
14 **department; emergency case services.**

15

1 (f) The department, not later than April 1, 2008,
2 shall promulgate rules under which an emergency case shall
3 be determined to exist with respect to eligibility for
4 federal home and community based waiver services for
5 developmental disabilities and adult brain injury under
6 this act. Upon a finding by the department that an
7 emergency exists under this subsection, the department in
8 accordance with its rules and regulations shall make
9 necessary expenditures for the recipient from the emergency
10 contingency account established for that purpose.
11 Expenditures from the emergency contingency account shall
12 be limited to those services necessary to provide
13 authorized customary services as provided by home and
14 community-based waivers for persons with developmental
15 disabilities and adult brain injury in response to the
16 emergency situation until the emergency no longer exists or
17 eligibility under this act can be determined and any
18 necessary services provided from non-emergency funding
19 sources. The developmental disabilities division of the
20 department of health shall submit an accounting to the
21 joint appropriations interim committee by October 1 of each
22 year regarding total expenditures and the number of persons
23 provided emergency services pursuant to this subsection.

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1 **Section 2.** (a) For the purposes of this act, there is
2 appropriated to the department of health for the period
3 commencing July 1, 2007 five hundred thousand dollars
4 (\$500,000.00) from the budget reserve account and any
5 federal matching funds for which the expenditures may
6 qualify.

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8 (b) Funds appropriated under this section shall be
9 used only for the purposes of this act, shall not be
10 transferred or expended for any other purpose and shall not
11 be expended until the adoption of final rules as provided
12 in section 1 of this act. Any unexpended, unobligated
13 funds remaining from this appropriation on June 30, 2008
14 shall not revert to the budget reserve account.

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

20

21

(END)