

SENATE FILE NO. SF0039

Child health insurance program.

Sponsored by: Senator(s) Massie, Decaria, Hastert and Ross  
and Representative(s) Davison, Hammons,  
Jorgensen and Millin

A BILL

for

1 AN ACT relating to the child health insurance program;  
2 increasing the maximum family income level for eligibility  
3 in the program; authorizing state funding for coverage as  
4 specified; authorizing families or guardians with higher  
5 incomes to buy program coverage for their children;  
6 providing appropriations; authorizing a position; and  
7 providing for an effective date.

8

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

10

11 **Section 1.** W.S. 35-25-101 and 35-25-103 are amended  
12 to read:

13

14 **35-25-101. Uninsured child health insurance program.**

15

1 There is created a child health insurance program for  
2 eligible children and families ~~with a gross monthly income~~  
3 ~~at or below one hundred eighty five percent (185%) of the~~  
4 ~~federal poverty level, until July 1, 2005, and thereafter,~~  
5 ~~for families with a gross monthly income at or below two~~  
6 ~~hundred percent (200%) of the federal poverty level~~ as  
7 provided in W.S. 35-25-103 and 35-25-111.

8  
9 **35-25-103. Child health insurance program**  
10 **eligibility.**

11  
12 (a) Subject to approval of the state plan by the  
13 United States secretary of health and human services, and  
14 subject to available state and federal funding the  
15 department shall provide a health insurance plan offered  
16 through a private insurance company licensed by the  
17 insurance commissioner to write insurance in Wyoming for an  
18 eligible child whose monthly gross family income is not  
19 more than ~~one hundred eighty five percent (185%) of the~~  
20 ~~federal poverty level, until July 1, 2005, and thereafter,~~  
21 ~~whose monthly gross family income is not more than two~~  
22 ~~hundred percent (200%)~~ three hundred percent (300%) of the  
23 federal poverty level.

1       (b) The department shall charge a co-payment for  
2 services, as specified by the department, for program  
3 participants with incomes greater than two hundred percent  
4 (200%) and not more than three hundred percent (300%) of  
5 the federal poverty level.

6  
7       (c) The department shall asses a fee to assist with  
8 the costs of the monthly premiums as follows:

9  
10           (i) Not less than forty dollars (\$40.00) per  
11 child for program participants with income levels greater  
12 than two hundred percent (200%) and not more than two  
13 hundred fifty percent (250%) of the federal poverty level;

14  
15           (ii) Not less than fifty dollars (\$50.00) per  
16 child for program participants with income levels greater  
17 than two hundred fifty percent (250%) and not more than  
18 three hundred percent (300%) of the federal poverty level;

19  
20           (iii) No more than two (2) children shall be  
21 assessed per participating family.

22  
23       (d) The family of an otherwise eligible child whose  
24 family income is greater than three hundred percent (300%)

1 of the federal poverty level may purchase coverage for the  
2 child under the program developed pursuant to W.S.  
3 35-25-104, subject to the following conditions:

4  
5 (i) The family shall pay the full premium cost  
6 of the coverage, as determined by the health benefits plan  
7 committee;

8  
9 (ii) The child has not been covered under  
10 another individual or group health insurance plan for a  
11 continuous period of four (4) months prior to applying for  
12 coverage under this subsection.

13  
14 (e) The department may vary the package of benefits  
15 available to participants depending upon their income  
16 level.

17  
18 (f) A child who is determined eligible to receive  
19 benefits under this section shall remain eligible for  
20 twelve (12) months as long as the child resides in the  
21 state of Wyoming and has not yet attained nineteen (19)  
22 years of age. A child's eligibility to receive benefits  
23 under this act shall be redetermined on an annual basis. A  
24 simplified application process, which includes minimum

1 eligibility requirements, shall be provided throughout the  
2 state at various public and private establishments approved  
3 by the department of health. To be determined eligible to  
4 receive benefits under this section, a child shall not be  
5 eligible under the Wyoming Medical Assistance and Services  
6 Act, except as provided in paragraph (d)(ii) of this  
7 section shall not have been covered under another health  
8 insurance plan for a minimum of one (1) month prior to  
9 application for coverage under this act or, upon birth, the  
10 child would not otherwise be covered by a public or private  
11 health insurance plan. Eligibility under this section shall  
12 be determined by the department of health or its designee.

13

14 (g) In addition to the waiting period in subsection  
15 (f) of this section, a child whose family income is more  
16 than two hundred fifty percent (250%) and less than or  
17 equal to three hundred percent (300%) of the federal  
18 poverty level shall not be eligible for this program if the  
19 child is eligible for coverage under a group health  
20 insurance plan offered by an employer of the child's family  
21 member.

22

23 **Section 2.**

24

1           (a) There is appropriated seventy-five thousand  
2     seventy-five dollars (\$75,075.00) from the general fund and  
3     one hundred forty-nine thousand four hundred twenty-five  
4     dollars (\$149,425.00) from federal funds to the department  
5     of health. This appropriation shall be for the period  
6     beginning with the effective date of this act and ending  
7     June 30, 2010. This appropriation shall only be expended  
8     for the purpose of providing health insurance to children  
9     whose monthly gross family income is greater than two  
10    hundred percent (200%) but not more than three hundred  
11    percent (300%) of the federal poverty level.  
12    Notwithstanding any other provision of law, this  
13    appropriation shall not be transferred or expended for any  
14    other purpose and any unexpended, unobligated state funds  
15    remaining from this appropriation shall revert as provided  
16    by law on June 30, 2010.

17

18           (b) There is appropriated nineteen thousand two  
19    hundred eighty dollars (\$19,280.00) from the general fund  
20    and thirty-five thousand eight hundred seven dollars  
21    (\$35,807.00) in federal funds to fund one (1) full-time  
22    position in the department of health. This appropriation  
23    shall be for the period beginning with the effective date  
24    of this act and ending June 30, 2010. This appropriation

1 shall only be expended for the purpose of administering the  
2 child health insurance program. Notwithstanding any other  
3 provision of law, this appropriation shall not be  
4 transferred or expended for any other purpose and any  
5 unexpended, unobligated funds remaining from this  
6 appropriation shall revert as provided by law on June 30,  
7 2010.

8

9 **Section 3.** This act is effective July 1, 2009.

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(END)