

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

SENATE FILE NO. _____

Health insurance exchanges.

Sponsored by: Joint Labor, Health and Social Services
Interim Committee

A BILL

for

1 AN ACT relating to the administration of government and the
2 2010 federal health care reform; providing for an initial
3 study of whether the state should establish a Wyoming
4 health insurance exchange; requiring a report and
5 specifying report requirements; providing an appropriation;
6 and providing for an effective date.

7

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

9

10 **Section 1.**

11

12 (a) The governor shall conduct an initial
13 reconnaissance study of whether to create a Wyoming health

1 insurance exchange, hereinafter referred to as "the
2 exchange," as provided in the Patient Protection and
3 Affordable Care Act, P.L. 111-148, and the Health Care and
4 Education Reconciliation Act of 2010, P.L. 111-152,
5 hereinafter referred to collectively as "the health care
6 reform acts."

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8 (b) The governor shall designate a study oversight
9 task force, which may be a state agency, more than one (1)
10 state agency or an ad hoc task force created by the
11 governor to conduct the study.

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13 (c) The oversight task force shall have the authority
14 to contract with experts and consultants as may be useful
15 in conducting the study.

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17 (d) The study shall:

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19 (i) Recommend whether the state should decide to
20 proceed or not to proceed with the development of the
21 exchange;

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1 (ii) If the recommendation is that the state
2 should proceed with the development of the exchange,
3 provide a work plan for the development of the exchange and
4 identify any legislation needed to implement the exchange
5 during the 2012 legislative budget session or subsequent
6 legislative sessions;

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8 (iii) Recommend whether the state should proceed
9 with the development of the exchange or defer the decision
10 until 2013. If a deferral is recommended, the study shall
11 identify the additional work needed before a final decision
12 can be made;

13

14 (iv) Evaluate whether the exchange will help the
15 operation of the private marketplace in health insurance by
16 helping people comparison shop for health insurance and by
17 reducing the marketing cost for health insurance. The
18 study shall identify any additional work needed to
19 facilitate these goals, if they are feasible;

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21 (v) Consider the experience of Utah and
22 Massachusetts in developing and operating health insurance

1 exchanges, with primary attention being given to the Utah
2 experience;

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4 (vi) Evaluate whether the exchange should offer
5 the full scope of services that the Utah exchange provides
6 or whether a more limited scope of services is appropriate;

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8 (vii) Recommend whether Wyoming should proceed
9 with the development of a health insurance exchange if the
10 related provisions in the health care reform acts are
11 repealed;

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13 (viii) Evaluate whether there is a reasonable
14 opportunity for successful litigation to prevent the
15 federal government from proceeding with a health insurance
16 exchange serving Wyoming if Wyoming decides not to create a
17 Wyoming health insurance exchange or creates an exchange
18 with a limited scope not meeting the requirements of the
19 health care reform acts. The study shall also evaluate
20 whether the operation of a federal exchange would do
21 sufficient harm to the people of Wyoming to justify that
22 litigation;

23

1 (ix) Evaluate whether an exchange can be used to
2 facilitate the sale of health insurance across state lines
3 and whether a decision by Wyoming to opt out of the
4 Medicaid program or other provisions of national health
5 insurance reform would affect the ability of other states
6 to join with Wyoming in the sale of insurance across state
7 lines.

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9 (e) A preliminary or interim study report shall be
10 provided to the joint labor, health and social services
11 interim committee by October 1, 2011.

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13 (f) There is appropriated five thousand dollars
14 (\$5,000.00) from the general fund to the governor's office.
15 This appropriation shall be for the period beginning with
16 the effective date of this act and ending June 30, 2012.
17 This appropriation shall only be expended for the purpose
18 of conducting the study and preparing the report required
19 by this act. Notwithstanding any other provision of law,
20 this appropriation shall not be transferred or expended for
21 any other purpose and any unexpended, unobligated funds
22 remaining from this appropriation shall revert as provided
23 by law on June 30, 2012. This appropriation shall not be

1 included in the governor's 2012 supplemental budget request
2 or the 2013-2014 standard biennial budget request.

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

8

9

(END)