

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. \_\_\_\_\_

Development disability services.

Sponsored by: Select Committee on Developmental/  
Intellectual Programs

A BILL

for

1 AN ACT relating to the Medicaid program; providing  
2 requirements for the reimbursement of disability waiver  
3 service providers; directing the department of health to  
4 provide enhanced reimbursement of certified behavioral  
5 specialists as specified; directing the department and the  
6 university to develop a training and certification program  
7 for behavior specialists; requiring reports; providing  
8 appropriations; and providing for an effective date.

9

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

11

12 **Section 1.** W.S. 21-17-123 is created to read:

13

1           **21-17-123.    Program for certification of behavioral**  
2 **specialists.**

3

4   The board shall develop in cooperation with the department  
5   of health and offer a course of training and education in  
6   the field of professional health services for behavioral  
7   specialists with an emphasis in the care of persons dually  
8   diagnosed with a developmental disability and a mental  
9   illness.    The program shall be designed to lead to  
10   certification as a behavioral health specialist pursuant to  
11   rules and regulations of the department of health.

12

13           **Section 2.** W.S. 42-4-120(g)(ii) and by creating a  
14   new subsections (h) and (j) is amended to read:

15

16           **42-4-120.    Contracts for waiver services; authority of**  
17 **department; emergency case services; cost based payments.**

18

19           (g) The department shall establish by rule and  
20   regulation a cost based reimbursement system to pay  
21   providers of services and supplies under home and community  
22   based waiver programs for persons with developmental

1 disabilities or acquired brain injury. The payment system  
2 shall:

3  
4 (ii) Establish a new base period to be used in  
5 calculating reimbursement rates to providers for ~~subsequent~~  
6 ~~budget periods~~ fiscal year 2012 and at least once every  
7 four (4) years thereafter but not more than once in any two  
8 (2) year period. When a new base period is established,  
9 the department shall submit a biennial or supplemental  
10 budget request to adjust provider reimbursement rates based  
11 on the most current base period. The budget request shall  
12 be calculated to reflect all service units required in  
13 existing plans of care for current recipients and for  
14 anticipated new recipients of waiver services;

15  
16 (h) The department shall apply to the center for  
17 Medicare and Medicaid services of the United States  
18 department of health and human services for authorization  
19 to reimburse at an enhanced rate direct care providers who  
20 have training and certification as behavioral specialists  
21 in the care of persons dually diagnosed with a  
22 developmental disability and a mental illness.

1       (j) The department, through the developmental  
2 disabilities division and the mental health and substance  
3 abuse services division, shall collaborate with the  
4 University of Wyoming in developing a training program for  
5 behavioral specialists in the care of persons dually  
6 diagnosed with a developmental disability and a mental  
7 illness. The program shall include a required curriculum  
8 and standards for certification and evaluation of dual  
9 diagnosis behavioral specialists, consistent with the  
10 requirements of subsection (h) of this section.

11  
12       **Section 3.** The department of health shall provide a  
13 report by October 1, 2011 and October 1, 2012 to the joint  
14 labor, health and social services interim committee. The  
15 report shall include the status of the waiver application  
16 pursuant to W.S. 42-4-120(h), the status of the training  
17 and certification program pursuant to W.S. 42-4-120(j) and  
18 the rebasing of the cost base reimbursement system pursuant  
19 to W.S. 42-4-120(g)(ii). The report shall include any  
20 recommended statutory or rule changes and a detailed budget  
21 narrative for any budget requests related to those  
22 statutory sections.

1           **Section 4.**

2

3           (a) There is appropriated three million seven hundred  
4 thousand dollars (\$3,700,000.00) from the general fund to  
5 the department of health. This appropriation shall be for  
6 the period beginning with the effective date of this act  
7 and ending June 30, 2012. This appropriation shall only be  
8 expended for the purpose of adjusting the cost based  
9 reimbursement formula pursuant to W.S. 42-4-120(g)(ii) to  
10 the extent that the adjustment is for previously  
11 undercounted provider service units. This appropriation  
12 shall be reduced dollar for dollar by any amount  
13 appropriated for the same purpose in the general government  
14 appropriations bill enacted during the 2011 general  
15 session. Notwithstanding any other provision of law, this  
16 appropriation shall not be transferred or expended for any  
17 other purpose and any unexpended, unobligated funds  
18 remaining from this appropriation shall revert as provided  
19 by law on June 30, 2012. This appropriation shall not be  
20 included in the department's 2013-2014 standard biennial  
21 budget request.

22

1           (b) There is appropriated two hundred thousand  
2 dollars (\$200,000.00) from the general fund to the  
3 department of health. This appropriation shall be for the  
4 period beginning with the effective date of this act and  
5 ending June 30, 2012. This appropriation shall only be  
6 expended for the purpose of W.S. 42-4-120(j).  
7 Notwithstanding any other provision of law, this  
8 appropriation shall not be transferred or expended for any  
9 other purpose and any unexpended, unobligated funds  
10 remaining from this appropriation shall revert as provided  
11 by law on June 30, 2012. This appropriation shall not be  
12 included in the department's 2013-2014 standard biennial  
13 budget request.

14

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

19

20

(END)