

ORIGINAL SENATE
FILE NO. 0058

ENROLLED ACT NO. 51, SENATE

FIFTY-EIGHTH LEGISLATURE OF THE STATE OF WYOMING
2006 BUDGET SESSION

AN ACT relating to public health and safety; amending eligibility criteria under the child health insurance program to include parents or guardians as specified; providing for employer contribution to premiums as specified; providing a maximum participation limit; providing appropriations; and providing for an effective date.

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

Section 1. W.S. 35-25-111 is created to read:

35-25-111. Participation of parents or guardians; employer premium contribution.

(a) Subject to the approval of a waiver by the United States secretary of health and human services and subject to available state and federal funding, parents or guardians of children enrolled in the child health insurance program or the medical assistance program may be eligible for participation in the programs under the following conditions:

(i) One (1) of the parents or guardians in the household is working at a full or part-time job;

(ii) If the parents are separated or divorced, the noncustodial parent shall not be eligible for participation in the program;

(iii) The employer of the participating parent or guardian agrees to pay for at least one-half (1/2) of the monthly premiums of the health insurance plan selected by the parent or guardian under the provisions of subsection (b) of this section. For program participants

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who work less than an average of thirty (30) hours per week, the department may waive this provision and collect an hourly fee from the employer.

(b) Parents or guardians may participate in the program through the employer's health insurance plan or through a group plan contracted by the department for program participants under the provisions of W.S. 35-25-106(a). The department shall assess the qualifying parents and guardians a participation fee. The amount of the fee may vary depending upon the level of income greater than one hundred thirty-three percent (133%) of the federal poverty level. Parents or guardians with a household income of one hundred thirty-three percent (133%) of the federal poverty level or less shall not be assessed a participation fee.

(c) If an employer of a parent or guardian refuses to participate in the program, the parent or guardian who would otherwise qualify for the program under subsection (b) of this section may participate in the program by paying the employer's share of the premium as determined pursuant to paragraph (a)(iii) of this section. The funds from the parent or guardian may come from a health savings account, a third party or another source.

(d) In the group plan offered by the department, the package of benefits available to participating parents and guardians may vary depending upon qualifying household income. The plan offered by an employer is not subject to a benchmark set of benefits.

(e) If the parent or guardian is covered through an employer's group health insurance plan, the total amount of funding provided to the parent or guardian to participate in the employer's plan shall not exceed the cost that the

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department would pay for participation in the plan provided under W.S. 35-25-106(a), as adjusted for parents, minus the employer's contribution under paragraph (a)(iii) of this section and the employee's contribution under subsection (b) of this section.

(f) Students who are attending the University of Wyoming or a state community college shall not be disqualified pursuant to paragraph (a)(i) of this section provided they qualify under the work-study provisions of the temporary assistance to needy families program.

(g) The total enrollment of parents, guardians and students through the waiver in the child health insurance program or the medical assistance program shall not exceed three thousand seven hundred twenty (3,720) for the 2007-2008 biennium and the total enrollment for future biennia shall be as determined in the applicable budget bill.

Section 2. Two million two hundred fifty-eight thousand nine hundred forty-seven dollars (\$2,258,947.00) in federal funds and one million one hundred thirty-one thousand nine hundred forty-six dollars (\$1,131,946.00) from the general fund are appropriated to the department of health for case service expenditures as provided in this act. Three hundred thirty-five thousand dollars (\$335,000.00) in federal funds and one hundred sixty-five thousand dollars (\$165,000.00) from the general fund are appropriated and three (3) full-time positions are authorized to the department of health to administer the provisions of this section.

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Section 3. This act is effective July 1, 2006.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk