

HOUSE BILL NO. HB0050

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 a study of
3 whether the state should establish and operate a Wyoming
4 health insurance exchange or participate in a regional
5 exchange; requiring a report and specifying report
6 requirements; providing an appropriation; and providing for
7 an effective date.

8

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

10

11 **Section 1.**

12

13 (a) The governor shall conduct a reconnaissance study
14 of whether to create a Wyoming health insurance exchange or
15 participate in a regional exchange, hereinafter referred to
16 as "the exchange," as provided in the Patient Protection

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

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6 (b) The study shall be paid for, to the extent
7 possible, by a federal grant awarded to the state for
8 planning and establishment of insurance exchanges.

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10 (c) The governor shall designate a study oversight
11 task force to conduct the study.

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13 (d) 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 (e) 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 an
21 exchange;

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23 (ii) If the recommendation is that the state
24 should proceed with the development of the exchange,

1 provide a work plan for the development of the exchange and
2 identify any legislation needed to implement the exchange
3 during the 2012 legislative budget session or subsequent
4 legislative sessions;

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

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

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19 (v) Consider the experience of Utah,
20 Massachusetts and other states in developing and operating
21 health insurance exchanges;

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1 (vi) Evaluate whether the exchange should offer
2 the full scope of services that the Utah exchange provides
3 or whether a more limited scope of services is appropriate;
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5 (vii) Recommend whether Wyoming should proceed
6 with the development of a health insurance exchange if the
7 related provisions in the health care reform acts are
8 repealed;
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10 (viii) Evaluate whether there is a reasonable
11 opportunity for successful litigation to prevent the
12 federal government from proceeding with a health insurance
13 exchange serving Wyoming if Wyoming decides not to create a
14 Wyoming health insurance exchange or creates an exchange
15 with a limited scope not meeting the requirements of the
16 health care reform acts. The study shall also evaluate
17 whether the operation of a federal exchange would do
18 sufficient harm to the people of Wyoming to justify that
19 litigation;
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21 (ix) Evaluate whether an exchange can be used to
22 facilitate the sale of health insurance across state lines;
23 and
24

1 (x) Consider whether a decision by Wyoming to
2 opt out of the Medicaid program or other provisions of
3 national health insurance reform would affect the ability
4 of other states to join with Wyoming in the sale of
5 insurance across state lines.

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

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11 (g) There is appropriated five thousand dollars
12 (\$5,000.00) from the general fund to the governor's office.
13 This appropriation shall be for the period beginning with
14 the effective date of this act and ending June 30, 2012.
15 This appropriation shall only be expended for the purpose
16 of conducting those parts of the study that cannot be paid
17 for by a federal grant awarded to the state for planning
18 and establishment of insurance exchanges and preparing the
19 report required by this act. Notwithstanding any other
20 provision of law, this appropriation shall not be
21 transferred or expended for any other purpose and any
22 unexpended, unobligated funds remaining from this
23 appropriation shall revert as provided by law on June 30,
24 2012. This appropriation shall not be included in the

1 governor's 2012 supplemental budget request or the 2013-
2 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.

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(END)