

SENATE FILE NO. SF0139

Health care pilot project amendments.

Sponsored by: Senator(s) Scott, Dockstader and Schiffer  
and Representative(s) Bonner, Brown and  
Harvey

A BILL

for

1 AN ACT relating to the healthy frontiers health care reform  
2 demonstration project; amending the membership of the  
3 benefit design committee; directing consideration of  
4 possible future eligibility changes; providing for  
5 education of enrollees concerning the project; amending  
6 enrollment eligibility as specified; providing for  
7 forfeiture of personal health accounts as specified;  
8 amending reporting requirements; providing appropriations;  
9 authorizing receipt of other funds as specified; and  
10 providing for an effective date.

11

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

13

14 **Section 1.** W.S. 26-43-203(a), (b)(iv), (g) by  
15 creating a new paragraph (vii) and by creating a new  
16 subsection (h), 26-43-204(b)(i) and (ii) and by creating

1 new subsections (f) and (g), 26-43-205(a)(ii) and  
2 26-43-206(a), (g) and by creating a new subsection (h) are  
3 amended to read:

4  
5 **26-43-203. Benefit design and operations.**

6  
7 (a) There is created a benefit design committee of at  
8 least three (3) and no more than ~~seven (7)~~ nine persons  
9 appointed by the governor. Members of the committee other  
10 than state employees shall receive per diem and mileage  
11 allowance as allowed to state employees, when actually  
12 engaged in committee activities. Members of the committee  
13 may be removed as provided in W.S. 9-1-202(a).

14  
15 (b) The benefit design committee shall create and  
16 modify as necessary the schedule of health care benefits  
17 and other related services available to participants under  
18 this article. The benefit design shall include the  
19 following elements:

20  
21 (iv) ~~An insurance~~ A health plan, the coverage  
22 package of which qualifies as creditable coverage under the  
23 federal Health Insurance Portability and Accountability  
24 Act, 42 U.S.C. 1320d et seq., or subsequent similar federal

1 enactment, or a similar qualification specified in the  
2 benefit design if the federal provision is repealed. The  
3 ~~insurance~~health plan shall provide for premium cost  
4 sharing between the participant and the state based on  
5 income as determined in the benefit design committee. The  
6 participant may pay premiums directly from the  
7 participant's personal health account. Deductibles and  
8 copayments may be paid from the personal health account at  
9 the discretion of the participant. For health care  
10 services not included in the prevention package, a system  
11 of copayments shall be required and shall be lower for  
12 primary care and higher for specialty care. The benefit  
13 design committee in devising the sliding scale shall seek  
14 to create an incentive to join the project and leave  
15 Medicaid or other government programs. The benefit design  
16 shall seek to create an incentive to obtain a job that  
17 includes eligibility for employer provided health coverage.  
18 The ~~insurance~~health plan shall be limited in coverage and  
19 designed to work in conjunction with the design provisions  
20 identified in this section. The ~~insurance~~health plan may  
21 be provided directly by the project, may be purchased from  
22 the private sector or may be provided through the pool  
23 which is hereby authorized to provide this plan;

24

1 (g) The plan of operation for the demonstration  
2 project shall:

3  
4 (vii) Identify organizations which will be  
5 responsible for educating new enrollees on the mechanics of  
6 receiving coverage from the healthy frontiers project,  
7 especially with regard to the personal health account. The  
8 organization may vary depending on the nature of the  
9 enrollee. The plan shall also provide for appropriate  
10 response to participants having questions about the project  
11 or who appear to be misunderstanding the project.

12  
13 (h) The governor, following consultation with the  
14 benefit design committee, shall consider using the healthy  
15 frontiers project to assist in providing health coverage  
16 for eligible individuals who are employees of an employer  
17 providing health insurance. The plan considered shall be  
18 consistent with the principal features of the benefit  
19 design for healthy frontiers and shall provide that the  
20 state, the employer and the individual share the cost of  
21 providing the coverage. The plan shall consider ways to  
22 use the principles of the healthy frontiers program to  
23 reduce employer health coverage costs. No plan pursuant to  
24 this subsection shall be implemented until submitted to the

1 Wyoming legislature for review and approval under  
2 procedures as the legislature may prescribe.

3  
4 **26-43-204. Eligibility.**

5  
6 (b) Priority in enrollment of participants shall be  
7 given to the following:

8  
9 (i) Individuals who have completed a vocational  
10 readiness or work preparation program through the  
11 department of workforce services, any other Wyoming state  
12 agency, any private organization providing similar training  
13 or a Wyoming community college;

14  
15 (ii) Individuals who have been participants in  
16 the Medicaid program or other state assistance program and  
17 who have become ineligible for that program due to  
18 increased earnings or whose income is less than or equal to  
19 ~~one hundred fifty percent (150%)~~ one hundred thirty-eight  
20 percent (138%) of the federal poverty level;

21  
22 (f) After September 1, 2011, the benefit design and  
23 plan of operation may, with the approval of the governor,  
24 provide that individuals who are enrolled in the healthy

1 frontiers program and subsequently become eligible for  
2 employer based insurance may continue in the program with  
3 the employer providing a share of the costs, provided the  
4 individuals continue to meet the income eligibility level  
5 pursuant to subsection (a) of this section.

6  
7 (g) The benefit design and plan of operations may  
8 provide that individuals who leave the healthy frontiers  
9 program within a time not to exceed one hundred twenty  
10 (120) days of enrollment shall forfeit the balance of their  
11 personal health account. Amounts forfeited pursuant to  
12 this subsection shall revert to the program.

13  
14 **26-43-205. Structure and enrollment limits.**

15  
16 (a) The project shall be structured as follows:

17  
18 (ii) After ~~October~~ September 1, 2011 and  
19 approval by the board and the governor of a revised benefit  
20 plan and plan of operations based on experience with the  
21 initial enrollment, the project may enroll an additional  
22 two thousand five hundred (2,500) persons counting both the  
23 participants and their enrolled family members and such  
24 additional participants to maintain stable project

1 enrollment of three thousand (3,000) persons until July 1,  
2 2014. The board in accepting participants for the project  
3 shall seek to have at least five hundred (500) participants  
4 who use the federally designated community health centers  
5 for their primary care and at least five hundred (500)  
6 participants who use primary health care providers in  
7 private practice for their primary care. The board shall  
8 seek to have enrollees representing sufficient communities  
9 within the state to demonstrate the statewide feasibility  
10 of the project.

11

12 **26-43-206. Evaluation.**

13

14 (a) The department of health shall have the primary  
15 responsibility for the evaluation of the demonstration  
16 project and shall report its evaluation publicly to the  
17 governor<sup>7</sup> and the joint labor, health and social services  
18 interim committee ~~and the joint corporations, elections and~~  
19 ~~political subdivisions interim committee~~ annually beginning  
20 October 1, 2010. The board shall also provide the  
21 governor<sup>7</sup> and the joint labor, health and social services  
22 interim committee ~~and the joint corporations, elections and~~  
23 ~~political subdivisions interim committee~~ with its  
24 evaluation as appropriate.

1

2 (g) The department of health shall provide to the  
3 joint labor, health and social services interim committee,  
4 ~~the joint corporations, elections and political~~  
5 ~~subdivisions interim committee~~ and the governor an interim  
6 evaluation report by ~~October 1,~~ November 15, 2012 and a  
7 final evaluation report by December 31, 2014. To improve  
8 the statistical validity of the report, no new enrollment  
9 in the project shall be permitted after July 1, 2014. The  
10 report shall include any recommendations on whether the  
11 demonstration project should be discontinued, expanded to a  
12 larger population, expanded to obtain more statistically  
13 valid results or continued for a longer time with a stable  
14 enrollment to obtain more valid results. Unless the report  
15 recommends abandonment of the project, it shall include any  
16 recommendations on program alterations needed to achieve  
17 the objectives of the demonstration project as expressed in  
18 the evaluation criteria of subsection (b) of this section.

19

20 (h) The department of health, to the maximum extent  
21 possible, shall include in the interim report required by  
22 subsection (g) of this section information necessary for  
23 the legislature to decide during its 2013 general session  
24 whether the state should apply for a Medicaid waiver



1 effective January 1, 2014 or later based on the healthy  
2 frontiers pilot project benefit design and covering all or  
3 some of the population scheduled to become Medicaid  
4 eligible on January 1, 2014.

5  
6 **Section 2.**

7  
8 (a) There is appropriated five million dollars  
9 (\$5,000,000.00) from the general fund to the insurance  
10 department. This appropriation shall be for the period  
11 beginning with the effective date of this act and ending  
12 December 31, 2015. This appropriation shall only be  
13 expended for the purpose of paying health care claims in  
14 excess of fifty thousand dollars (\$50,000.00) per person  
15 per year on behalf of persons enrolled in the healthy  
16 frontiers pilot project. Notwithstanding any other  
17 provision of law, this appropriation shall not be  
18 transferred or expended for any other purpose and any  
19 unexpended, unobligated funds remaining from this  
20 appropriation shall revert as provided by law on January 1,  
21 2016. This appropriation shall not be included in the  
22 department's 2013-2014 or 2015-2016 standard biennial  
23 budget request.

1           (b) There is appropriated eleven million four  
2 thousand nine hundred seven dollars (\$11,004,907.00) from  
3 the general fund to the insurance department. This  
4 appropriation shall be for the period beginning with the  
5 effective date of this act and ending June 30, 2012. This  
6 appropriation shall only be expended for the purpose of  
7 contracting with the board of directors of the Wyoming  
8 health insurance pool to implement the health care reform  
9 demonstration project. Notwithstanding any other provision  
10 of law, this appropriation shall not be transferred or  
11 expended for any other purpose and any unexpended,  
12 unobligated funds remaining from this appropriation shall  
13 revert as provided by law on July 1, 2012. This  
14 appropriation shall be included in the department's 2013-  
15 2014 for the full 3,000 enrollees health care reform  
16 demonstration project and in the 2015-2016 standard  
17 biennial budget request for the full 3,000 enrollees for  
18 the first year of the biennium. This appropriation shall  
19 not be included in the department's subsequent standard or  
20 supplemental budget requests.

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22           (c) There is appropriated three hundred thousand  
23 dollars (\$300,000.00) from the general fund to the  
24 department of health. This appropriation shall be for the

1 period beginning with the effective date of this act and  
2 ending December 31, 2015. This appropriation shall only be  
3 expended for the purpose of evaluating the healthy  
4 frontiers health care reform demonstration project,  
5 including the collection of relevant data. Notwithstanding  
6 any other provision of law, this appropriation shall not be  
7 transferred or expended for any other purpose and any  
8 unexpended, unobligated funds remaining from this  
9 appropriation shall revert as provided by law on January 1,  
10 2016.

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12 (d) The project may, with the consent of the  
13 governor, accept federal funds or private funds for the  
14 purposes of the healthy frontiers program provided the  
15 conditions on receipt of the federal funds or private funds  
16 are not inconsistent with the healthy frontiers program, do  
17 not impair the integrity of the pilot project under this  
18 act and do not create any obligations, other than reporting  
19 obligations, in addition to those created by this act. Any  
20 funds received pursuant to this subsection, from  
21 reinsurance purchased by the project, from premiums and  
22 from forfeitures of personal health accounts are  
23 continuously appropriated to the department of insurance  
24 for the purposes of the healthy frontiers pilot project.

1

2       **Section 3.** This act is effective immediately upon  
3 completion of all acts necessary for a bill to become law  
4 as provided by Article 4, Section 8 of the Wyoming  
5 Constitution.

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(END)