

HOUSE BILL NO. HB0203

Health benefit exchange study and select committee.

Sponsored by: Representative(s) Harvey, Brown, Kasperik
and Lubnau and Senator(s) Dockstader and
Landen

A BILL

for

1 AN ACT relating to the administration of government and
2 health insurance exchanges and related functions under
3 federal law; providing for a select legislative committee
4 and a study and report; providing duties of the select
5 committee and specified state agencies; providing an
6 appropriation; 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) There is created the select committee on health
13 benefit exchanges consisting of the following members:

14

15 (i) Three (3) members of the Wyoming senate
16 appointed by the president of the senate and three (3)

1 members of the Wyoming house of representatives appointed
2 by the speaker of the house of representatives. The
3 president and the speaker shall each designate a cochairman
4 unless they jointly designate a chairman.

5

6 (b) Members of the select committee shall be paid
7 salary, per diem and mileage as provided in W.S. 28-5-101
8 for their official duties as members of the committee.
9 Payment for expenses and authorized expenditures other than
10 salary, per diem and mileage for in-state meetings shall be
11 made first from any grant monies available for that purpose
12 and then from the appropriation provided by this act.

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14 (c) The select committee shall be staffed by the
15 legislative service office. The Wyoming insurance
16 department, the department of health and other state
17 agencies shall provide technical and analytical assistance
18 to the select committee as requested. Grant monies, if
19 available, may be used to contract with experts and
20 consultants as may be useful in performing the analysis
21 required by this act.

22

23 (d) The department of insurance shall apply for
24 grants to fund any or all of the analysis and activities

1 required by this act. However, no grant shall be accepted
2 which, in the judgment of the attorney general, commits the
3 state of Wyoming to operate a state-based benefit exchange.

4
5 (e) The select committee shall terminate December 31,
6 2014.

7
8 **Section 2.**

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10 (a) In performing the analysis of the federal
11 exchange or its alternatives required by section 3 of this
12 act, the following principles shall guide the select
13 committee:

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15 (i) Improvement in the quality and availability
16 of information necessary to make informed purchasing
17 decisions between health insurance policies;

18
19 (ii) Expansion in the number and quality of
20 health insurance options in Wyoming;

21
22 (iii) Reduction in administrative overhead
23 costs;

1 (iv) Improvement in the buying experience and
2 efficient delivery of health insurance policies to
3 consumers;

4
5 (v) The provision of health insurance coverage
6 in Wyoming at a reasonable cost;

7
8 (vi) Measures to control the cost of operating
9 an exchange and revenue generation measures which make an
10 exchange self-sustaining;

11
12 (vii) Other factors which enhance the
13 availability, quality and cost of health insurance policies
14 in Wyoming.

15
16 **Section 3.**

17
18 (a) The following topics and issues shall be analyzed
19 by the select committee:

20
21 (i) To the extent an Affordable Insurance
22 Exchange ("exchange") is operated in Wyoming under the
23 Patient Protection and Affordable Care Act, Public Law 111-
24 148, and the Health Care and Education Reconciliation Act

1 of 2010, Public Law 111-152 ("ACA"): study the operation of
2 the exchange in all its parts and functions in order to
3 determine the processes by which the exchange is operated;
4 summarize the operation of the exchange; analyze the
5 efficiency of its operation and determine if the assumption
6 of any exchange function would be to the advantage of the
7 state of Wyoming; indicate the benefits and detriments of
8 having the state assume the function, the means by which
9 the function could be performed and estimate the cost of
10 assuming the function; in analyzing the state's assumption
11 of any function, analyze those factors identified in the
12 Centers for Medicare and Medicaid Services' Application for
13 Approval of Affordable State-based and State Partnership
14 Insurance Exchanges ("Exchange Blueprint") which relate to
15 that function;

16

17 (ii) To the extent an exchange is operated by
18 the federal government in Wyoming under the ACA, identify
19 any benefits or detriments which may result or have
20 resulted from the operation of the exchange, include
21 benefits or detriments to health insurance purchasers,
22 employers, health insurance companies, health insurance
23 sellers and the state. In addition to other matters, the
24 committee shall analyze:

1

2 (A) Changes in health insurance premium
3 rates for policies both within and outside of a health
4 insurance exchange that occur following January 1, 2014;

5

6 (B) The characteristics of those persons
7 who purchased insurance or otherwise participated in the
8 exchange;

9

10 (C) The risk pool created within the
11 exchange and the adequacy of the pool;

12

13 (D) The types of benefit plans that were
14 offered in the exchange and whether the state employees'
15 health plan, created pursuant to the State Employees' and
16 Officials' Group Insurance Act, was included in the
17 exchange;

18

19 (E) The impact of the exchange on self-
20 insurance plans.

21

22 (iii) Consider alternative exchange methods that
23 could provide benefits equal to or greater than those
24 provided by any exchange operated by the federal government

1 in Wyoming under the ACA. Among any other potential
2 exchange methods, consider all methods available under the
3 ACA, including a state-based exchange, a state-partnership
4 exchange and a federally facilitated exchange. Consider
5 the use of private/public partnerships in operating an
6 exchange;

7

8 (iv) Study the possibility of the state entering
9 into an interstate compact or agreement with one (1) or
10 more other states for the purpose of offering health
11 insurance to employers and individual residents of this
12 state in cooperation with another state or states, either
13 with or without the combination of risk pools among the
14 states. The committee shall summarize the extent to which
15 any interstate agreement or compact could function as part
16 of an exchange operated under the ACA. The select committee
17 may arrange for and host a health symposium to promote
18 partnerships with other likeminded states to explore
19 compacts and partnerships including shared information
20 technology or insurance risk pools. The committee may also
21 apply to appropriate foundations and interest groups for
22 grants as necessary to host multi-state cooperative
23 presentations in the state regarding interstate compacts on

1 health insurance exchanges, combination of risk pools and
2 interstate sales of health insurance policies;

3
4 (v) Study the availability of any grants offered
5 by the United States department of health and human
6 services or otherwise which would be available to fund any
7 activity authorized by this act or the assumption of any
8 exchange function identified pursuant to this act.
9 Identify any time limits and limitations on expenditures
10 associated with each grant;

11
12 (vi) Identify any function necessary in planning
13 for the operation of an exchange or in the operation of an
14 exchange which could not or should not be conducted by the
15 state. The committee shall identify the vendor or other
16 entity that could conduct the function.

17
18 **Section 4.**

19
20 (a) The select committee shall make a preliminary
21 report to the governor, the joint appropriations interim
22 committee and the joint labor, health and social services
23 interim committee by December 1, 2013. The report shall
24 make a recommendation as to whether Wyoming should operate

1 or participate in an exchange and, if so, what exchange
2 functions should be conducted by the state. The report
3 shall include a summary of the work and conclusions reached
4 on each of the study topics required by section 3. The
5 report shall make a preliminary assessment as to the
6 availability and desirability of interstate compacts or
7 agreements in operating an exchange in Wyoming. The
8 preliminary report shall include a draft of any suggested
9 legislation for sponsorship by the joint labor, health and
10 social services interim committee for introduction during
11 the 2014 budget session.

12

13 (b) Following the 2014 budget session, the select
14 committee shall continue to study any exchange operated for
15 Wyoming residents pursuant to the ACA according to section
16 3 of this act.

17

18 (c) The select committee shall make a final report by
19 October 1, 2014 to the governor, the joint appropriations
20 interim committee and the joint labor, health and social
21 services interim committee regarding the committee's
22 activities during the 2014 interim and the committee's
23 final recommendations concerning those subjects required to
24 be covered in the preliminary report. The final report

1 shall include a draft of any suggested legislation for
2 sponsorship by the joint labor, health and social services
3 interim committee and introduction during the 2015 general
4 session.

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6 **Section 5.** There is appropriated from the general
7 fund fifty thousand dollars (\$50,000.00) to the legislative
8 service office for payment of salary, per diem and mileage
9 for members of the select committee on health benefit
10 exchanges and for costs associated with conducting the
11 study and activities authorized by this act. Any
12 unexpended, unobligated funds remaining from this
13 appropriation shall revert on June 30, 2015.

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15 **Section 6.** 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)