

SENATE FILE NO. SF0072

Medicaid benefit recovery.

Sponsored by: Joint Labor, Health and Social Services
Interim Committee

A BILL

for

1 AN ACT relating to Medicaid benefit recovery; amending
2 provisions for recovery of Medicaid expenses from parents;
3 authorizing the departments of health and family services
4 to cooperate in collecting child support and recoupment of
5 Medicaid expenses as specified; granting rulemaking
6 authority; requiring reports; and providing for an
7 effective date.

8

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

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11 **Section 1.** W.S. 42-4-208(a)(i), (ii), by creating a
12 new paragraph (iii), (b) and by creating a new subsection
13 (d) is amended to read:

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15 **42-4-208. Recovery for cost of health care.**

16

1 (a) The department, to the extent necessary to
2 reimburse its costs, shall be entitled to recover from any
3 parent who:

4
5 (i) Is required by court or administrative order
6 to provide coverage of the cost of health services to a
7 child eligible for medical assistance under this act;~~and~~

8
9 (ii) Has received payment from a third party for
10 the costs of such services but has not used the payments to
11 reimburse either the other parent or guardian of the child
12 or the provider of the services;~~or~~ or

13
14 (iii) Has sufficient income or assets to
15 reimburse the department for expenses involved in the
16 childbirth.

17
18 (b) The department shall be entitled to enforce any
19 judgment entered pursuant to this section by garnishment or
20 any other available statutory remedy, either alone or in
21 coordination with the department of family services acting
22 pursuant to W.S. 20-2-309(a)(iv). The department of health,
23 to the extent allowable under federal law and regulations,

1 may coordinate its recovery of amounts pursuant to this
2 section with the department of family services.

3
4 (d) In addition to its authority pursuant to
5 subsection (a) of this section, the department shall have
6 authority pursuant to rules and regulations to request the
7 assistance of mothers who receive prenatal and childbirth
8 benefits in establishing paternity and pursuing
9 reimbursement of expenses for those benefits from the
10 child's father, to the maximum extent allowable under
11 federal law and regulations.

12
13 **Section 2.**

14
15 (a) The department of health shall report annually by
16 October 1 for five (5) years to the joint labor, health and
17 social services interim committee regarding:

18
19 (i) Amounts collected pursuant to W.S. 42-4-208
20 during the previous year for reimbursement of Medicaid
21 benefits;

22
23 (ii) The percentage of children born in Wyoming
24 for whom the Medicaid program paid the costs of childbirth;

1

(iii) The income distribution of Wyoming residents of child bearing age.

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5 **Section 3.** This act is effective July 1, 2013.

6

7 (END)