SF0129S2002

Delete the Pappas Committee of the Whole Amendment (SF0129SW001/AC), the Bebout Committee of the Whole Amendment (SF0129SW003/A), the Bebout Committee of the Whole Amendment (SF0129SW005/A) and the Scott Second Reading Amendment (SF0129S2001/A) entirely and further amend as follows:

Page 1-line 5 Before "and" insert "creating the Medicaid expansion reserve account; providing appropriations; providing a time limit on Medicaid expansion; providing a sunset date; requiring reports; modifying the standard budget development for the departments of health, family services, corrections and insurance; requiring participant and provider acknowledgements as specified; providing a sunset date;".

Page 1-line 10 Delete "42-4-407" insert "42-4-412".

Page 3-lines 15 through 22 Delete and insert:

"42-4-402. Medicaid; authority to expand; savings; limitations.

(a) The department of health shall negotiate with the center for Medicare and Medicaid services for and implement an expansion of the Medicaid program, as provided and as limited in this article, for all persons described under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act, 42 U.S.C. 1396a(a)(10)(A)(i)(VIII).

(b) Any decreased expenditures in other programs resulting from expansion of Medicaid enrollment shall be transferred as provided in W.S. 42-4-408. The goal of the transfer shall be to repurpose sufficient reserves to fund this temporary expansion and identify and isolate savings, subject to further appropriation by the legislature, to support the potential cost neutral extension of this temporary expansion beyond the authorization provided in this article.".

Page 9-after line 17 Insert:

"42-4-408. Medicaid expansion reserve account.

(a) The Medicaid expansion reserve account is created. The account shall consist of monies appropriated but unspent as a result of Medicaid expansion under this article.

(b) The directors of the departments of health, family services, insurance and corrections shall, on a calendar quarterly basis, identify for the governor all funds appropriated to programs in their respective agencies that would become unexpended, unobligated and available for transfer due to programmatic savings resulting from Medicaid expansion under this article. These unexpended, unobligated funds shall be identified using a biennial budget trending analysis. The department of health shall specifically report on the collective identification of funds to the governor, joint labor, health and social services interim committee and joint appropriations interim committee on a calendar quarterly basis regarding the unexpended, unobligated funds that are or are forecast to be available for transfer due to programmatic savings resulting from Medicaid expansion under this article, including:

(i) The dollar amount and revenue source of savings to date;

(ii) The dollar amount and revenue source of savings forecast by each of the departments to become available for transfer prior to the end of the current fiscal biennium;

(iii) The agency, division, unit and series of savings to date;

(iv) The agency, division, unit and series of savings forecast by each of the departments to become available for transfer prior to the end of the current fiscal biennium;

(v) The demographic characteristics of the beneficiaries of health care services from which each category of savings under paragraph (iii) and (iv) of this subsection was generated or is forecast to be generated; and

(vi) The county and major service category, including but not limited to primary care physician service, hospital service, specialty physician service, mental health or substance abuse service, of the health care provider from which each type of savings under paragraph (iii) and (iv) of this subsection was generated or is forecast to be generated.

(c) After the state auditor certifies the dollar amount in subsection (b)(i) of this section, the governor shall promptly transfer funds identified pursuant to subsection (b)(i) of this section to the Medicaid expansion reserve account pursuant to the governor's authority under W.S. 9-2-1005(b)(i).

(d) Funds in the Medicaid expansion reserve account shall be expended only upon appropriation by the legislature and shall only be expended for the state's share of the expanded Medicaid program under this article, including the cost of administration and the state's share of benefit costs, and including the cost of any contracts for administration through a third party.

(e) Other than as provided in this section, funds in the Medicaid expansion reserve account shall not be expended for any other purpose without further legislative authorization. Funds in the account shall not lapse and shall not revert as provided in W.S. 9-4-207 but shall remain in the account to implement the purposes of this section.

42-4-409. Medicaid expenditure reporting.

(a) The department of health shall report to the joint labor, health and social services interim committee and joint appropriations committee, no later than November 1 of each year on:

(i) The total expenditures, by revenue source, of the Medicaid program created under this article for the prior fiscal year;

(ii) The number of eligible individuals participating in the program for the prior fiscal year, including demographic characteristics;

(iii) The average cost of services provided to each eligible individual participating in the program, and the average cost of services by appropriate age and income categories;

(iv) The aggregate amount of payments made to service providers, by major type, for the prior fiscal year;

(v) A summary of the average cost per procedure for the twenty (20) most common procedures; and

(vi) An analysis of the administrative costs of the program, including any costs borne by the department or contract administrative services.

42-4-410. Medicaid expansion waiver; time limitation; report by department of health.

(a) Any Medicaid expansion waiver negotiated with the centers for Medicare and Medicaid services pursuant to this article shall be for a maximum period of five (5) years.

(b) The department shall report annually by October 1 to the joint appropriations interim committee, the joint labor, health and social services interim committee and the legislative management council on the status of Medicaid expansion as authorized by this article. The report shall include:

(i) Total federal funds and state funds, by state fiscal year beginning July 1, 2015, expended for Medicaid expansion, with trend analysis;

(ii) Historical and projected enrollment trends;

(iii) Historical and projected changes in expenditures by other programs resulting from Medicaid expansion;

(iv) The department's recommendation regarding continuation or termination of Medicaid expansion, with any recommended changes or modifications to the program if it is continued.

(c) Any Medicaid expansion waiver pursuant to this article shall not be renewed or extended without legislative authorization.

42-4-411. Medicaid expansion; acknowledgement by participants and providers.

(a) All participants upon enrolling in expanded Medicaid coverage pursuant to this article, and all providers of health care services upon registration as a Medicaid provider, shall sign as a condition of enrollment or receipt of payment an acknowledgement that:

(i) The expanded Medicaid program is a temporary expansion program;

(ii) At least ninety percent (90%) of the funding for the temporary Medicaid expansion program is from federal funds;

(iii) The state's share of funding for Medicaid expansion comes from reduced spending on other related programs.

(iv) If federal funds for the program are reduced, the program may cease.

(b) All checks or payment advice issued to a health care provider for reimbursement of covered services under this article shall include or be accompanied by a statement containing substantially all of the information required by paragraphs (a)(i) through (iv) of this section.

42-4-412. Medicaid expansion waiver; sunset.

This article is repealed effective July 1, 2021.".

Page 9-after line 17 Insert and renumber:

"**Section 2.** W.S. 9-2-1002(a)(ix) is amended to read:

"9-2-1002. Definitions; powers generally; duties of governor; provisions construed; cooperation with legislature and judiciary; divisions enumerated.

(a) As used in this act:

(ix) "Standard budget" means a budget enabling an entity to continue to furnish the same level of services during the ensuing biennium and shall reflect the revenue or appropriation necessary to provide the services. The budget shall include all personnel approved in the preceding biennial budget, a supportive service category and the amount of revenue generated by the entity during the preceding biennium and estimated revenue for the ensuing biennium regardless of the fund to which the monies were deposited. The standard budget shall not include any personnel other than those specifically authorized in the preceding biennial budget. The standard budget shall not include requests for any equipment, any special projects and services nor any requests for special or nonrecurring funding. The limitations regarding authorized personnel and equipment requests in this paragraph shall not apply to the University of Wyoming. The standard budget for the departments of health, family services, corrections and

<u>insurance shall not include any funds transferred to the health care reserve account pursuant to W.S. 42-4-208 for the units from which the transfers were made, but the standard budget for the department of health shall include any funds transferred to the Medicaid expansion reserve account pursuant to W.S. 42-4-408 and any appropriation based on those transferred funds shall be deposited into the Medicaid expansion reserve account pursuant to W.S. 42-4-408 and expended only by appropriation as provided in that section</u>;".

Page 9-line 19 Delete **"2"** insert **"3"**.

Page 10-lines 9 through 19 Delete, including the Second Senate Standing Committee amendment (SF0129SS002/A) to these lines, and insert:

"(b) There is appropriated one million five hundred thousand dollars ($1,500,000.00) from the Medicaid expansion reserve account to the department of health. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2016. This appropriation shall only be expended for the purpose of Medicaid expansion pursuant to W.S. 42-4-401 through 42-4-412. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert to the Medicaid expansion reserve account on July 1, 2016. This appropriation shall be included in the department's 2017-2018 standard biennial budget request.".

Page 11-line 1 Delete **"3"** insert **"4"**. VON FLATERN, NICHOLAS