SENATE FILE NO. SF0129

Medicaid SHARE plan.

Sponsored by: Senator(s) Von Flatern, Emerich and Pappas
and Representative(s) Wilson

A BILL

for

1 AN ACT relating to Medicaid; providing for expansion of
2 coverage to low income persons as specified; authorizing a
3 Medicaid demonstration waiver and state plan amendment;
4 providing waiver and plan amendment requirements as
5 specified; providing appropriations; and providing for an
6 effective date.
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8 Be It Enacted by the Legislature of the State of Wyoming:
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10 Section 1. W.S. 42-4-401 through 42-4-407 are created
11 to read:
12
13 ARTICLE 4
14
15 MEDICAID EXPANSION
42-4-401. Definitions.

(a) As used in this article:

(i) "Alternative benefits plan" means a package of health care benefits, defined in the demonstration waiver documents or state plan amendment authorized in this article, and afforded to individual participants pursuant to this article. The alternative benefits plan shall include:

(A) Essential health benefits required under section 1302(b) of the Patient Protection and Affordable Care Act, P.L. 111-148;

(B) Benefits benchmarked to, actuarially equivalent to or otherwise similar to a commercial private insurance plan to the extent authorized by section 1937(b)(1) or 1937(b)(2) of the Social Security Act, 42 U.S.C. 1396u-7(b);

(C) Additional benefits as required by Medicaid regulations;
(D) For medically frail individuals and other populations deemed necessary by federal regulations, medical assistance as provided to qualified recipients under article 1 of this chapter.

(ii) "Demonstration waiver" or "waiver" means a negotiated demonstration waiver under section 1115 of the Social Security Act, 42 U.S.C. 1315;

(iii) "Program" means Medicaid coverage for certain individuals authorized by W.S. 42-4-403 and 42-4-404.

42-4-402. Temporary Medicaid expansion.

Commencing as soon as practicable after July 1, 2015, the department shall provide 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), to be eligible for services under this chapter, to the extent authorized by this article.
42-4-403. Medicaid expansion; demonstration project for higher income individuals.

(a) The director of the department and the governor are authorized to implement a demonstration waiver to provide Medicaid coverage as provided in this section, as soon as practicable after July 1, 2015, for individuals who are described under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act, 42 U.S.C. 1396a(a)(10)(A)(i)(VIII), and who meet the eligibility and participation requirements of this section.

(b) For medically frail individuals and other populations deemed necessary by federal regulations, medical assistance shall include the same benefits as are provided to qualified recipients under article 1 of this chapter.

(c) Except as provided in subsection (b) of this section, any Medicaid coverage pursuant to this section shall be subject to the following:
(i) Coverage shall be pursuant to a negotiated demonstration waiver under section 1115 of the Social Security Act, 42 U.S.C. 1315;

(ii) Individuals with modified adjusted gross income above one hundred percent (100%) and up to one hundred thirty-three percent (133%) of the federal poverty level, as defined in 42 U.S.C. 1396a(e)(14)(I)(i), shall be eligible to become participants in the program under this section;

(iii) Participants shall be required to pay a monthly premium based on modified adjusted income and shall be required to make copayments for covered services in amounts set forth in the alternative benefits plan. Cost sharing, including premiums and copayments, shall not exceed five percent (5%) of a participant's modified adjusted gross income;

(iv) A participant who fails to pay required premiums for ninety (90) days shall be disenrolled from the program;
(v) Participants who within a plan year successfully complete healthy lifestyle challenges specified by the program shall receive a premium discount for the following plan year.

42-4-404. Medicaid expansion; alternative benefit plan for lower income individuals.

(a) The director of the department shall amend the state Medicaid plan to provide Medicaid coverage as provided in this section as soon as practicable after July 1, 2015 for individuals who are described under section 1902(a)(10)(A)(i)(VIII) of the Social Security Act, 42 U.S.C. 1396a(a)(10)(A)(i)(VIII), and who meet the eligibility and participation requirements of this section.

(b) For medically frail individuals and other populations deemed necessary by federal regulations, medical assistance shall include the same benefits as are provided to qualified recipients under article 1 of this chapter.
(c) Except as provided in subsection (b) of this section, any Medicaid coverage pursuant to this section shall be subject to the following:

(i) Individuals with income equal to or below one hundred percent (100%) of the federal poverty level shall be eligible to become participants in the program under this section;

(ii) Participants shall not be required to pay a monthly premium but shall be required to make copayments for covered services in amounts determined by the department and as specified in the state Medicaid plan.

42-4-405. Medicaid expansion; alternative benefit plan for all groups.

(a) The following shall apply to Medicaid expansion for both higher income individuals under W.S. 42-4-403 and for lower income individuals under W.S. 42-4-404:

(i) Health care services shall be available through the regular Medicaid provider network and
administered by the department, but shall include only those services identified in the alternative benefits plan;

(ii) To the extent authorized by federal law, participants shall be required to complete a comprehensive health assessment upon program enrollment and annually thereafter;

(iii) The program shall include comprehensive case management and utilization review for individuals with complex healthcare needs;

(iv) Participants who are able to work shall be enrolled in an appropriate work assistance benefit at the time of application. The work assistance benefit may include, as appropriate for the individual participant, access to a job search website, resume assistance, services for matching skills to jobs, job training and vocational rehabilitation.

42-4-406. Medicaid expansion; employer sponsored insurance premium assistance.
Individuals eligible for Medicaid under this article who are employed and who are eligible for an employer sponsored group health plan, in which the client's cost-sharing obligations in the plan do not exceed nine and one-half percent (9.5%) of the individual's modified adjusted gross income, may receive premium assistance as a Medicaid benefit in lieu of benefits under W.S. 42-4-403 or 42-4-404.

**42-4-407. Medicaid expansion; federal funding contingency.**

The Medicaid program created by this article shall not be administered during any time period in which the federal medical assistance percentage, as currently provided pursuant to 42 U.S.C. 1396d(y), is less than ninety percent (90%).

**Section 2.**

(a) There is appropriated up to fifty-four million dollars ($54,000,000.00) in federal funds to the department of health. This appropriation shall be for the period
beginning with the effective date of this act and ending December 31, 2016. This appropriation shall only be expended for the purpose of expanded Medicaid coverage pursuant to 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and W.S. 42-4-401 through 42-4-407. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose.

(b) There is appropriated up to one million five hundred thousand dollars ($1,500,000.00) from the general fund to the department of health. This appropriation shall be for the period beginning with the effective date of this act and ending December 31, 2016. This appropriation shall only be expended for the purpose of the state's share of administration expenses related to expanded Medicaid coverage pursuant to 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and W.S. 42-4-401 through 42-4-407. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose.
Section 3. This act is effectively immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)