

SENATE JOINT RESOLUTION NO. SJ0005

Promoting individual choice in health care.

Sponsored by: Senator(s) Peterson

A JOINT RESOLUTION

for

1 A JOINT RESOLUTION requesting Congress and Wyoming's
2 Congressional delegation to endorse use of health savings
3 accounts and reinsurance programs to promote individual
4 choice in health care; to support federal legislation
5 lifting impediments and endowing states with authority to
6 establish health care cost and saving mechanisms; to
7 encourage application for a state innovation waiver of
8 Patient Protection and Affordable Care Act requirements;
9 and to promote health care billing transparency protocols.

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11 WHEREAS, Wyoming residents and businesses suffer from
12 burdensome health insurance costs resulting from Patient
13 Protection and Affordable Care Act requirements, medical
14 cost inflation, cost shifting and hidden pricing practices;
15 and

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1 WHEREAS, federal restrictions impede Wyoming and other
2 states from implementing health care cost and saving
3 measures to make health care more affordable and accessible
4 to our residents; and

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6 WHEREAS, uncompensated care results in health care
7 providers shifting uncompensated costs to insured patients
8 through billing add-ons; and

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10 WHEREAS, an integrated state system of individual health
11 savings accounts, state reinsurance programs and billing
12 transparency requirements could ensure payments to health
13 care providers and diminish uncompensated care cost
14 shifting; and

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16 WHEREAS, if Wyoming residents were given the opportunity to
17 divert an established portion of their income into
18 individually controlled health savings accounts, operated
19 in tandem with a state reinsurance program, the programs
20 together could keep care at least as affordable as would be
21 provided under the Patient Protection and Affordable Care
22 Act; and

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1 WHEREAS, existing contribution limits on health savings
2 accounts unnecessarily limit the usefulness of these
3 accounts and raising the contribution limits would allow
4 for greater individual choice in health care; and

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6 WHEREAS, the state of Wyoming should consider using its
7 Medicaid program to reinsure health care costs that exceed
8 a contributing low income, Medicaid eligible person's
9 health savings account, up to an established amount. The
10 state of Wyoming could then use a reinsurance program to
11 manage costs, up to an established amount, for individuals
12 contributing to health savings accounts who are not
13 eligible for Medicaid. Together, the programs could
14 reinsure care that is at least as comprehensive as would be
15 provided under the Patient Protection and Affordable Care
16 Act; and

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18 WHEREAS, the Employee Retirement Income Security Act
19 preempts states from having comprehensive oversight of all
20 insurance plans that may be available to their residents;
21 and

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1 WHEREAS, federal limitations on the importation of
2 prescription drugs preserve high prescription drug costs
3 and hinder individual choice in health care.

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5 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
6 LEGISLATURE OF THE STATE OF WYOMING:

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8 **Section 1.** That the Wyoming Legislature calls on
9 Congress to pass legislation lifting the contribution limit
10 for individual health savings accounts, requiring greater
11 transparency in health care pricing and loosening Employee
12 Retirement Income Security Act preemption so that states
13 may regulate all insurance plans for the benefit of their
14 residents.

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16 **Section 2.** That the Wyoming Legislature calls on
17 Congress to pass legislation to fund reinsurance programs,
18 authorize prescription drug importation and expand
19 possibilities for states to waive federal requirements
20 under the Patient Protection and Affordable Care Act and
21 Medicaid.

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1 **Section 3.** That the Wyoming Legislature urges the
2 Wyoming congressional delegation to support legislation
3 that promotes the use of health savings accounts,
4 reinsurance programs and prescription drug importation and
5 promotes individual choice in health care.

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7 **Section 4.** That the Wyoming Legislature encourages
8 study and investigation of health savings account
9 contribution amounts, necessary reinsurance reserves,
10 participation levels required and other data necessary to
11 apply for a state innovation waiver under section 1332 of
12 the Patient Protection and Affordable Care Act, 42 U.S.C. §
13 18001, et seq., or other similar waiver available under
14 federal law, to identify any necessary legislation to apply
15 for and implement a waiver.

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17 **Section 5.** That the Wyoming Legislature invites
18 health insurance companies and health care providers to
19 propose legislation or rules to establish health care
20 billing transparency requirements.

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1 **Section 6.** That the Secretary of State of Wyoming
2 transmit copies of this resolution to Wyoming's
3 congressional delegation, the United States House Committee
4 on Ways and Means, the United States House Committee on
5 Energy and Commerce, the United States Senate Committee on
6 Finance and the United States Senate Committee on Health,
7 Education, Labor, and Pensions.

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(END)