

SENATE FILE NO. SF0006

Eligibility for Medicaid-criteria.

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

A BILL

for

1 AN ACT relating to medical assistance and services;
2 codifying current state criteria for Medicaid eligibility;
3 specifying applicability; requiring rulemaking; and
4 providing for effective dates.

5

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

7

8 **Section 1.** W.S. 42-4-106 by creating a new subsection
9 (e) is amended to read:

10

11 **42-4-106. Application for assistance; determination**
12 **of eligibility; assignment of benefits; resources and**
13 **income allowances defined for institutionalized spouse.**

14

1 (e) The following requirements shall be met before an
2 applicant is eligible for medical assistance under this
3 chapter:

4
5 (i) An applicant shall be a citizen or national
6 of the United States and shall provide a valid social
7 security number and proof of identity. An applicant
8 considered to be lawfully present in the United States
9 shall be eligible for medical assistance under this
10 chapter. The requirement in this paragraph shall not apply
11 when determining if the department of health will cover
12 children in the custody of the department of family
13 services;

14
15 (ii) An applicant shall be a Wyoming resident or
16 meet the criteria specified in the Wyoming Medicaid state
17 plan. An applicant who intends to return to the applicant's
18 home in another state or country shall not be considered a
19 Wyoming resident;

20
21 (iii) An applicant shall fulfill not less than
22 one (1) of the following criteria:

23

1 (A) Be determined disabled according to
2 social security guidelines by the social security
3 administration or the department;

4
5 (B) Be entitled to receive supplemental
6 security income or be eligible for supplemental security
7 income-related programs;

8
9 (C) Be entitled to receive hospice services
10 in accordance with a voluntary election and a health care
11 provider statement of a terminal condition where:

12
13 (I) The applicant has received hospice
14 services or resided in a medical institution for not less
15 than thirty (30) consecutive days; or

16
17 (II) The applicant is not a
18 supplemental security income recipient and dies before
19 completion of the time requirement specified in subdivision
20 (I) of this subparagraph.

21

1 (D) Be qualified for services, pursuant to
2 rules of the department, under a Medicaid waiver or other
3 expansion that the legislature has authorized;
4

5 (E) Be infected with tuberculosis and, if
6 the person is not a Wyoming resident or United States
7 citizen, is present in Wyoming and, if not treated, is a
8 threat to infect Wyoming residents with tuberculosis;
9

10 (F) Be otherwise qualified for medical
11 assistance pursuant to federal Medicaid regulations or be
12 eligible under a mandatory requirement of the federal
13 government for participation in Medicaid, provided that no
14 expansion eligibility for Medicaid beyond the eligibility
15 as of January 1, 2026 shall occur without prior
16 authorization by the legislature, except that the governor
17 may authorize a temporary expansion in eligibility needed
18 to combat a public health emergency, provided that the
19 temporary expansion shall end not more than thirty (30)
20 days after the adjournment of the next legislative session;
21

22 (G) Be a child in the custody of the
23 department of family services in foster care, basic foster

1 care, noncitizen foster care, subsidized adoption or in
2 residence at the Wyoming boys' school or the Wyoming girls'
3 school;

4
5 (H) Be enrolled in the 1115 family planning
6 waiver. The department of health is authorized to continue
7 operating the 1115 waiver until its planned expiration in
8 December 31, 2027 and is not authorized to renew the waiver
9 beyond this expiration date;

10
11 (J) Be enrolled in the employed individuals
12 with disabilities program under section
13 1902(a)(10)(A)(ii)(XV) of the federal Social Security Act;

14
15 (K) Be enrolled in the breast and cervical
16 cancer treatment program under section
17 1902(a)(10)(A)(ii)(XVIII) of the federal Social Security
18 Act.

19
20 (iv) An applicant shall fulfill any other
21 criteria required pursuant to rules of the department or
22 federal Medicaid regulations.

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