Medicaid expansion—authorization.

Sponsored by: HDraft Committee

A BILL for

AN ACT relating to Medicaid; requiring collaboration concerning the expansion of Medicaid eligibility; authorizing the expansion of Medicaid eligibility as specified; requiring reports and notice as specified; providing a sunset provision; and providing for an effective date.

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

Section 1.

(a) As directed by the governor, the insurance commissioner of this state and the director of the
department of health shall collaborate together and work
with the centers for medicare and medicaid services of the
United States department of health to explore options for
the expansion of medicaid eligibility as authorized by the
Patient Protection and Affordable Care Act, P.L. 111-148 or
any other federal law that replaces that act before the
repeal of this section.

(b) If the collaboration required by subsection (a)
of this section reveals viable and fiscally advantageous
options as determined by the governor for the expansion of
Medicaid eligibility in Wyoming, the governor by and
through the department of health is authorized to pursue
any medicaid plan amendments or other waivers that are
necessary and prudent for the expansion.

(c) Before making application to expand Medicaid
eligibility pursuant to subsection (b) of this section, the
governor shall provide notice to the legislature in
writing. The governor also shall provide a report to the
joint labor, health and social services interim committee
and the joint appropriations committee detailing the
reasons for the expansion, the means for having the
expansion approved, whether any funding for the expansion will be necessary and the reasons that the expansion is viable and fiscally advantageous for Wyoming. The notice and reports shall be submitted to the legislature in sufficient time to allow the legislature adequate notice to call a special session for consideration of the expansion before the effective date of any obligations binding on the state. No further expansion of eligibility for Medicaid shall occur without prior approval from the legislature.

(d) This section is repealed effective January 1, 2022.

Section 2. 2013 Wyoming Session Laws, Chapter 116, Section 5 is repealed.

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STAFF COMMENT

For the purpose of clarity, Chapter 116 of the 2013 Wyoming Session Laws created the Select Committee on Health Benefit Exchanges with a sunset date for the Select Committee of December 31, 2014. The Select Committee was tasked with studying the operation of an Affordable Insurance Exchange in the state under the Patient Protection and Affordable Care Act. Relevant to this draft bill, Section 5 of this chapter prohibited any further expansion of eligibility for Medicaid without prior approval from the legislature.
While repealing this provision may not be necessary, doing so helps to clarify the legislature's intent, by putting the legislative approval requirement in statute. The Committee may wish to consider whether Medicaid expansion should be permitted simply through an affirmative action of the executive branch or whether legislative approval should be required, as this bill draft currently contemplates.

Section 3. This act is effective 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)