

## HOUSE BILL NO. HB0060

Medicaid expenditures.

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

A BILL

for

1 AN ACT relating to the Wyoming Medical Assistance and  
2 Services Act; requiring the recalculation of nursing home  
3 rates as specified; providing for medical assistance  
4 payments for skilled nursing home extraordinary care as  
5 specified; authorizing additional payments for skilled  
6 nursing home direct patient care personnel; making  
7 appropriations; and providing for an effective date.

8

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

10

11 **Section 1.** W.S. 42-4-102(a) by creating new  
12 paragraphs (viii) and (ix), 42-4-103(a) by creating a new  
13 paragraph (xxviii) and by creating a new subsection (b) and  
14 42-4-104 by creating new subsections (c) and (d) are  
15 amended to read:

16

1           **42-4-102. Definitions.**

2

3           (a) As used in this chapter:

4

5                   (viii) "Direct patient care personnel" means  
6 only:

7

8                           (A) Certified nursing assistants;

9

10                           (B) Licensed practical nurses;

11

12                           (C) Registered nurses.

13

14                   (ix) "Skilled nursing home extraordinary care"  
15 means skilled nursing home services clearly exceeding  
16 standard skilled nursing home services and meeting the  
17 criteria established by the department pursuant to W.S.  
18 42-4-104(d).

19

20           **42-4-103. Authorized services and supplies.**

21

22           (a) Services and supplies authorized for medical  
23 assistance under this chapter include:

24

1           (xxviii) Skilled nursing home extraordinary care  
2 in accordance with W.S. 42-4-104(d).

3  
4           (b) In addition to other payments authorized under  
5 this chapter, the department may provide payments to  
6 skilled nursing homes which are providing services covered  
7 under this chapter if:

8  
9           (i) The nursing home demonstrates that one  
10 hundred percent (100%) of the additional amount received  
11 will be expended upon direct patient care personnel  
12 salaries and benefits; and

13  
14           (ii) The nursing home agrees to provide  
15 sufficient data to the department substantiating compliance  
16 with paragraph (i) of this subsection.

17  
18           **42-4-104. Powers and duties of department of health.**

19  
20           (c) The department shall, not less than every five  
21 (5) years, establish a new base period to be used in  
22 calculating all skilled nursing homes' medical assistance  
23 per diem base rate reimbursable under this chapter, using

1 the most recent cost report information provided to the  
2 department.

3

4 (d) The department shall establish by rule the  
5 conditions and requirements for skilled nursing home  
6 extraordinary care. The requirements shall include, but are  
7 not limited to the following:

8

9 (i) The care shall be previously authorized by  
10 the department for each individual and subject to continual  
11 audit by the department;

12

13 (ii) The cost for the care shall clearly exceed  
14 the standard skilled nursing home per diem rate;

15

16 (iii) The cost shall be excluded from the  
17 nursing home's cost report to the department; and

18

19 (iv) No extraordinary care payment shall be made  
20 for equipment owned by the nursing home in providing the  
21 care.

22

23 **Section 2.**

24

1           (a) Upon the effective date of this act, the  
2 department of health shall immediately undertake to  
3 reestablish rates as required by W.S. 42-4-104(c) for  
4 payments to nursing homes beginning July 1, 2002.

5

6           (b) There is appropriated to the department of health  
7 for the fiscal biennium commencing July 1, 2002 for  
8 purposes of skilled nursing home payments:

9

10           (i) One million nine hundred thirty-eight  
11 thousand eight hundred eleven dollars (\$1,938,811.00) from  
12 the general fund; and

13

14           (ii) Two million nine hundred eight thousand two  
15 hundred seventeen dollars (\$2,908,217.00) of federal funds.

16

17           **Section 3.**

18

19           (a) The department shall submit a proposed change to  
20 the state plan to provide for skilled nursing home  
21 extraordinary care payments under this act. Upon approval  
22 of the change to the state plan and adoption of rules by  
23 the department as required by W.S. 42-4-104(d), funds  
24 appropriated under this section may be expended. There is

1 appropriated to the department of health for the fiscal  
2 biennium commencing July 1, 2002 for purposes of skilled  
3 nursing home extraordinary care payments:

4  
5 (i) One million eight hundred twenty-five  
6 thousand dollars (\$1,825,000.00) from the general fund; and

7  
8 (ii) Two million seven hundred thirty-seven  
9 thousand five hundred dollars (\$2,737,500.00) of federal  
10 funds.

11

12 **Section 4.**

13

14 (a) There is appropriated to the department of health  
15 for the fiscal biennium commencing July 1, 2002 for  
16 purposes of W.S. 42-4-103(b):

17

18 (i) Two million one hundred ninety-three  
19 thousand sixty-six dollars (\$2,193,066.00) from the general  
20 fund; and

21

22 (ii) Three million five hundred seventy-three  
23 thousand six hundred six dollars (\$3,573,606.00) of federal  
24 funds.

1

2

**Section 5.** This act is effective July 1, 2002.

3

4

(END)