

SENATE FILE NO. SF0034

Prescription drug assistance program.

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

A BILL

for

1 AN ACT relating to Wyoming Medical Assistance and Services  
2 Act; creating the prescription drug program under the  
3 Wyoming Medical Assistance and Services Act; specifying  
4 eligibility criteria; specifying which drugs qualify for  
5 payment under the program; establishing procedures;  
6 limiting benefits as specified; and providing for an  
7 effective date.

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

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11 **Section 1.** W.S. 42-4-118 is created to read:

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13 **42-4-118. Prescription drug assistance program**  
14 **created; eligibility criteria; benefits provided; coverage**  
15 **of medications.**

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1           (a) There is created a prescription drug assistance  
2 program to assist residents of the state. The program shall  
3 be a state funded program to provide prescription drug  
4 assistance, in addition to the services provided under the  
5 Wyoming Medical Assistance and Services Act. Effective July  
6 1, 2002, the prescription drug assistance program shall  
7 replace the minimum medical program. Eligibility for  
8 assistance under the program created by this section shall  
9 not constitute an entitlement and services shall be  
10 provided under this section only to the extent funds are  
11 available.

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13           (b) Residents of the state may apply for the  
14 prescription drug assistance program in the manner provided  
15 in W.S. 42-4-106. Upon a determination of eligibility, the  
16 applicant remains eligible for assistance under the  
17 prescription drug assistance program as provided in this  
18 section. If a recipient ceases to be a resident of the  
19 state, his eligibility under the program shall terminate.  
20 The department shall by rule and regulation establish  
21 income eligibility guidelines no later than July 1 of each  
22 year based on the federal poverty levels in effect on  
23 January 1 of such calendar year. Persons with family income  
24 of one hundred percent (100%) of the federal poverty level

1 or less shall be eligible under this section. The rules  
2 shall take into consideration family size up to four (4)  
3 individuals. Eligibility for families consisting of more  
4 than four (4) individuals shall be determined on the basis  
5 of the income of a family of four (4) individuals. Persons  
6 eligible for prescription drug assistance under other state  
7 or federal programs, except the state high risk health  
8 insurance pool, shall be ineligible for assistance under  
9 the prescription drug assistance program.

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11 (c) Except as provided by this subsection, an  
12 eligibility determination made under subsection (b) of this  
13 section shall be valid for one (1) year. A recipient whose  
14 monthly income changes by more than one-third (1/3), shall  
15 report the change in income to the department. Such  
16 recipient is entitled to a redetermination if his income  
17 has declined and may, at the option of the department, be  
18 subject to a redetermination if his income has increased.

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20 (d) A recipient shall be required to pay a  
21 copayment per prescription of ten dollars (\$10.00) for  
22 generic drugs and twenty-five dollars (\$25.00) for brand  
23 name drugs.

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1           (e) The department shall project costs of the program  
2 created by this section at least quarterly and compare  
3 those projected costs against the funds appropriated for  
4 the program. If the funds available to the program are  
5 insufficient to meet the projected costs of the program,  
6 the department shall take action to prevent the program  
7 from incurring costs beyond available funds, including  
8 taking any of the following actions:

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10           (i) Imposing a moratorium on new enrollments in  
11 the program;

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13           (ii) Reducing the gross family income  
14 eligibility level specified in subsection (b) of this  
15 section;

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17           (iii) Imposing higher prescription drug  
18 copayments not to exceed twenty-five dollars (\$25.00) per  
19 prescription;

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21           (iv) Eliminating specified drugs from  
22 eligibility under the program;

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