

ORIGINAL HOUSE
BILL NO. 0060

ENROLLED ACT NO. 37, HOUSE OF REPRESENTATIVES

FIFTY-SIXTH LEGISLATURE OF THE STATE OF WYOMING
2002 SPECIAL SESSION

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

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

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

42-4-102. Definitions.

(a) As used in this chapter:

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

(A) Certified nursing assistants;

(B) Licensed practical nurses;

(C) Registered nurses.

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

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42-4-103. Authorized services and supplies.

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

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

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

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

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

42-4-104. Powers and duties of department of health.

(c) The department shall, not less than every five (5) years, establish a new base period to be used in calculating all skilled nursing homes' medical assistance per diem base rate reimbursable under this chapter, using the most recent cost report information provided to the department.

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

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

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

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

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

Section 2.

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

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

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

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

Section 3.

(a) The department shall submit a proposed change to the state plan to provide for skilled nursing home

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extraordinary care payments under this act. Upon approval of the change to the state plan and adoption of rules by the department as required by W.S. 42-4-104(d), funds appropriated under this section may be expended. There is appropriated to the department of health for the fiscal biennium commencing July 1, 2002 for purposes of skilled nursing home extraordinary care payments:

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

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

Section 4.

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

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

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

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk