

HOUSE BILL NO. HB0043

Medicaid pharmacy plus program.

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

A BILL

for

1 AN ACT relating to Medicaid; authorizing the department of
2 health to apply for a federal Medicaid waiver to allow
3 specified individuals to participate in a pharmacy plus
4 program; specifying eligibility criteria; requiring
5 rulemaking; providing for termination of the pharmacy plus
6 program as specified; providing an appropriation; and
7 providing for effective dates.

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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. 42-4-119 is created to read:

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13 **42-4-119. Pharmacy plus program; eligibility**
14 **criteria; rulemaking; termination of program.**

15

1 (a) The department may apply for a demonstration
2 waiver under section 1115 of the federal Social Security
3 Act to allow individuals with income or assets in excess of
4 limits generally established in the state plan to receive
5 services under a pharmacy plus program provided that:

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7 (i) The individual is a beneficiary under the
8 federal Medicare program who has not been determined to be
9 eligible for full Medicaid benefits under the state plan;

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11 (ii) The total family income of the individual
12 does not exceed two hundred percent (200%) of the federal
13 poverty level in effect on April 1 of that calendar year;
14 and

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16 (iii) An individual determined eligible to
17 receive services under this section shall not be eligible
18 for other services under W.S. 42-4-103, unless the
19 individual otherwise qualifies for the services.
20 Eligibility for assistance under the program created by
21 this section shall not constitute an entitlement and
22 services shall be provided under this section only to the
23 extent funds are available.

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1 (b) The department shall provide assurances to the
2 United States secretary of health and human services
3 necessary to obtain approval of the waiver applied for
4 under this section, except the department shall not agree
5 to any provision that limits the amount of federal funds
6 the state would otherwise receive to support the services
7 provided under the Wyoming Medical Assistance and Services
8 Act. The department may accept provisions limiting the
9 amount of federal funds the department receives to support
10 the waiver program authorized by this section.

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12 (c) Effective July 1, 2003, or upon federal approval
13 of the waiver applied for under this section, whichever
14 occurs later, the department shall implement the pharmacy
15 plus program to assist eligible individuals with payment
16 and management of prescription drug costs. In implementing
17 the pharmacy plus program, the department may use private
18 sector benefit management approaches, including pharmacy
19 benefit managers, preferred drug lists, prior
20 authorization, pharmacist consultation, provider education,
21 disease state management and variable enrollee cost sharing
22 in the form of annual or monthly premium assessments, per
23 prescription copayment requirements, coinsurance,
24 deductibles and coverage limits. The department shall

1 establish through rules and regulations variable enrollee
2 cost sharing provisions under this subsection on a
3 graduated basis, taking into consideration the differing
4 income levels of enrollees and the funding available to the
5 program.

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7 (d) If the federal Medicare program is amended to
8 provide pharmaceutical benefits for recipients under that
9 program, the pharmacy plus program authorized under this
10 section shall terminate upon implementation of the federal
11 Medicare pharmaceutical benefits program.

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13 (e) The department shall project costs of the program
14 created by this section at least quarterly and compare
15 those projected costs against the funds appropriated for
16 the program. If the funds available to the program are
17 insufficient to meet the projected costs of the program,
18 the department shall take action to prevent the program
19 from incurring costs beyond available funds, including
20 taking any of the actions specified in W.S. 42-4-118(e).

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22 **Section 2.** There is appropriated one million four
23 hundred forty-five thousand forty-six dollars
24 (\$1,445,046.00), or as much thereof as is necessary, from

1 the general fund to the department of health for the fiscal
2 year beginning July 1, 2003, to implement the purposes of
3 this act. To the extent any state appropriation from any
4 other revenue source becomes available to implement the
5 purposes of this act, this appropriation is void.

6

7 **Section 3.**

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9 (a) Except as provided in subsection (b) of this
10 section, this act is effective immediately upon completion
11 of all acts necessary for a bill to become law as provided
12 by Article 4, Section 8 of the Wyoming Constitution.

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14 (b) Section 2 of this act is effective July 1, 2003.

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16 (END)