

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.**

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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 one hundred seventy-five percent (175%) of  
13 the federal poverty level in effect on April 1 of that  
14 calendar year; 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 six hundred ninety-  
23 one thousand four hundred eighty-eight dollars  
24 (\$691,488.00), or as much thereof as is necessary, from the

1 general fund to the department of health for the fiscal  
2 year beginning July 1, 2003, to implement the purposes of  
3 this act.

4 **Section 3.**

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

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

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(END)