

ENROLLED ACT NO. 36, SENATE

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2004 BUDGET SESSION

AN ACT relating to the administration of the government; requiring reports by the department of health on developmental disabilities as specified; requiring all rule adoption proceedings of the department to comply with the Administrative Procedure Act; establishing a select committee on developmental programs as specified; prescribing duties; requiring reports; providing for appropriations; and providing for an effective date.

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

Section 1. W.S. 9-2-103(a) and 9-2-106(a)(vii) are amended to read:

9-2-103. Division administrators; appointment; qualifications; duties; salaries, tenure and removal generally; necessary personnel.

(a) The director shall appoint a separate administrator for the divisions of the department of health and he may discharge the administrators as provided in W.S. 9-2-1706(c)(ii). Appointments under this subsection shall be subject to the following:

(i) The administrator for a division dealing primarily with public health shall:

~~(i)~~ (A) Have theoretical knowledge and practical and managerial skill and experience which fits him for the position, as determined by the director; and

~~(ii)~~ (B) Repealed By Laws 1998, ch. 20, § 2.

~~(iii)~~ (C) Administer a program for the supervision of volunteer physicians who provide medical

ORIGINAL SENATE
FILE NO. 0084

ENROLLED ACT NO. 36, SENATE

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2004 BUDGET SESSION

care, assistance or medical administrative services without charge for the medical services rendered in an eligible program in compliance with rules and regulations promulgated by the department. To qualify as an eligible program, the medical services shall be provided in any hospital, clinic, health care facility or institution owned or operated by the state, University of Wyoming or any local government. A disclosure statement shall be signed in advance by the recipients informing them of the physician's limited liability under the program.

(ii) The administrator for a division dealing primarily with developmental disabilities shall annually on October 1 provide reports by program to the legislature, which reports shall include but not be limited to trend data by fiscal year for:

(A) The number of ongoing and emergency clients served or put on a waiting list for service;

(B) Amounts expended, both total and per client average, for ongoing and emergency client service;

(C) The source of funds for services to newly served clients, whether from excess funding for existing clients, funds appropriated for the waiting list, funds appropriated for emergencies or funds from another source;

(D) The number of clients projected to become eligible for services in the subsequent year who are not already on a waiting list for service;

(E) The number of clients who are expected to transition from one (1) category of service eligibility to another category and their total projected costs based

ORIGINAL SENATE
FILE NO. 0084

ENROLLED ACT NO. 36, SENATE

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2004 BUDGET SESSION

upon the aggregate of each client's individual budgeted amount;

(F) The number of clients who are expected to transition from school district services to department of health services at age twenty-one (21) and their total projected costs based upon the aggregate of each client's individual budgeted amount;

(G) Specific information on funds transferred between programs within developmental disabilities and between programs within developmental disabilities and other programs within the department of health.

9-2-106. Duties and powers of director of department.

(a) The director shall:

(vii) Ensure that the department and all of its divisions promulgate reasonable rules and regulations, after consultation with the departmental advisory council, and in compliance with the Wyoming Administrative Procedure Act, for the implementation of all state and federal public health, mental health and medical services laws.

Section 2.

(a) There is created the select committee on developmental programs consisting of the following members:

(i) Three (3) members of the Wyoming senate appointed by the president of the senate subject to the following:

ORIGINAL SENATE
FILE NO. 0084

ENROLLED ACT NO. 36, SENATE

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2004 BUDGET SESSION

(A) At least one (1) of the appointees shall be a member of the senate labor, health and social services committee;

(B) Not more than two (2) of the appointees shall be from the same political party.

(ii) Four (4) members of the Wyoming house of representatives appointed by the speaker of the house of representatives subject to the following:

(A) At least two (2) of the appointees shall be members of the house labor, health and social services committee;

(B) Not more than three (3) of the appointees shall be from the same political party.

(b) The president of the senate and the speaker of the house of representatives shall each appoint a cochairman of the select committee. The committee may contract with consultants as necessary.

(c) The select committee shall:

(i) Study the state's programs for persons with developmental disabilities and other states' programs for the delivery of assistance to persons with developmental disabilities;

(ii) Identify system changes for improvement in the delivery of services to persons with developmental disabilities;

(iii) Sponsor necessary legislation implementing committee recommendations.

ORIGINAL SENATE
FILE NO. 0084

ENROLLED ACT NO. 36, SENATE

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2004 BUDGET SESSION

(d) The select committee shall report to the legislature and the governor not later than October 1, 2004, on conclusions and recommendations developed under subsection (c) of this section.

(e) Thirty-five thousand dollars (\$35,000.00) is appropriated from the general fund to the legislative service office to fund activities of the select committee.

Section 3.

(a) In addition to the powers granted in section 2 of this act, the select committee created in section 2 of this act shall study the costs of providing developmental health and educational services to qualifying preschool children in the state. The committee shall work with the developmental preschool centers in the state in developing the study design and may contract with consultants in conducting the study. The study shall identify the costs of service provision and recommend a mechanism for funding the costs of providing the services. A preliminary report shall be provided to members of the legislature not later than November 1, 2004, and a final report shall be provided by October 1, 2005 and submitted to the management council.

(b) Two hundred fifty thousand dollars (\$250,000.00) is appropriated from the budget reserve account to the legislative service office for purposes of the study required under subsection (a) of this section.

Section 4. The office of planning and administration within the department of health shall review all program manuals and all internal operating procedures and policies affecting services provided by the division of developmental disabilities and ensure that all policies of

ORIGINAL SENATE
FILE NO. 0084

ENROLLED ACT NO. 36, SENATE

FIFTY-SEVENTH LEGISLATURE OF THE STATE OF WYOMING
2004 BUDGET SESSION

general applicability are promulgated as rules in accordance with the Wyoming Administrative Procedure Act.

Section 5. This act is effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk