

WORKING DRAFT

SENATE FILE NO. _____

Department of health service providers.

Sponsored by: SDRAFT

A BILL

for

1 AN ACT relating to the department of health; amending the
2 department's duties and responsibilities; providing
3 authority for the department to impose corrective action on
4 contract providers for cause as specified; identifying the
5 types and duration of corrective action authorized; and
6 providing for an effective date.

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

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10 Section 1. W.S. 9-2-102 by creating new subsections
11 (g), (h) and (j) is amended to read:

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13 **9-2-102. Department of health; duties and**
14 **responsibilities; state grants.**

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1 (g) The department is authorized to take corrective
2 action against any provider of mental health, substance
3 abuse and developmental disabilities services supported by
4 state funds if the provider has:

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6 (i) Failed or refused to comply with the
7 requirements of this article or the rules adopted under
8 this article;

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10 (ii) Operated without a license or under a
11 revoked license;

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13 (iii) Knowingly, or with reason to know, made a
14 false statement of material fact in connection with his
15 application for license, in connection with negotiations
16 for a contract, or in any matter under investigation by the
17 department; or

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19 (iv) Willfully prevented or interfered with any
20 inspection or investigation by the department.

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22 (h) When authorized by subsection (g) of this
23 section, the department may take one or more of the
24 following actions:

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2 (i) Refuse to issue a contract;

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4 (ii) Impose reasonable conditions on a contract,
5 such as correction within a specified time, training, and
6 limits on the type of clients the provider may admit or
7 serve;

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9 (iii) Impose civil penalties of not more than
10 one hundred dollars per day per violation;

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12 (iv) Suspend, revoke, or refuse to renew a
13 contract; or

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15 (v) Suspend admissions to the facility by
16 imposing a stop placement order on contracted services.

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18 (j) When the department orders stop placement
19 pursuant to subsection (h)(v) of this section, the facility
20 shall not admit any person admitted by contract until the
21 stop placement order is terminated. The department may
22 approve readmission of a resident to the facility from a
23 hospital or nursing home during the stop placement. The
24 department shall terminate the stop placement order when:

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(i) The violations necessitating the stop placement order have been corrected; and

(ii) The provider exhibits the capacity to maintain correction of the violations previously found deficient. However, if the department finds new violations that the department reasonably believes will result in a new stop placement order, the previous stop placement shall remain in effect until the new stop placement order is imposed.

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Section 2. This act is effective July 1, 2005.

(END)