

WORKING DRAFT

SENATE FILE NO. _____

Medical catastrophic and trauma care.

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

A BILL

for

1 AN ACT relating to hospitals and health care providers;
2 providing for payments to hospitals for unreimbursed
3 catastrophic care, as specified; requiring reports;
4 providing appropriations; and providing for an effective
5 date.

6

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

8

9 **Section 1.**

10

11 (a) As used in this act:

12

13 (i) "Actual costs" means direct, out-of-pocket
14 costs incurred to provide catastrophic or traumatic care

1 services, including health care provider services, but does
2 not include overhead, depreciation or other indirect costs;

3

4 (ii) "Acute care hospital" means an
5 establishment in Wyoming with an organized medical staff,
6 with permanent facilities that include inpatient beds and
7 an emergency room or department that is available to treat
8 emergencies twenty-four (24) hours per day, and with
9 medical services, not limited to a single medical specialty
10 or type of illness, including physician services and
11 continuous nursing services, to provide diagnosis,
12 treatment and continuity of care for patients;

13

14 (iii) "Catastrophic care services" means
15 incident costs for that upon discharge are greater than the
16 hospital-specific average cost per discharge plus three
17 standard deviations.

18

19 (iv) "Department" means the Wyoming department
20 of health;

21

22 (v) "Health care provider" means a person who is
23 licensed, certified or otherwise authorized by the law of
24 this state to provide health care in the ordinary course of

1 business or practice of a profession, but does not include
2 a person who provides health care solely through the sale
3 or dispensing of drugs or medical devices;

4

5 (vi) "Incident" means an admission, or related
6 series of admissions, both inpatient and outpatient,
7 involving catastrophic or traumatic care for an individual
8 patient within a one (1) year period to a single hospital.
9 Admissions of the same patient for causes not directly
10 related to an earlier admission shall be considered a
11 separate incident.

12

13 (vii) "Trauma care services" means services to
14 patients with at least one injury diagnosis code, using the
15 International Classification of Diseases, 9th Edition, from
16 800.0 through 904, 925 through 929, 940 through 959.9, and
17 994.7, plus at least one of the following:

18

19 (A) Hospitalization for one calendar day;

20

21 (B) Admission to the intensive care unit or
22 monitored bed unit;

23

1 (C) Cardiac or respiratory arrest on route
2 to the hospital or emergency room;

3

4 (D) Dead on arrival at the facility;

5

6 (E) Transfer from or to another acute care
7 hospital;

8

9 (F) Admission directly from the emergency
10 room to the operating room;

11

12 (G) Trauma team activation;

13

14 (H) Meets prehospital triage criteria.

15

16 (b) Acute care hospitals and health care providers
17 shall be reimbursed on a per incident basis for one-half
18 (1/2) of the unreimbursed actual costs incurred, subject to
19 the following:

20

21 (i) Trauma care costs had been reported to the
22 Wyoming trauma care program registry before the request for
23 reimbursement;

24

1 (ii) Incidents shall not be aggregated from one
2 hospital to another;

3

4 (iii) Reimbursement shall be available for
5 expenses incurred after July 1, 2005;

6

7 (iv) Any amounts received from or reasonably
8 expected to be received from insurance, the patient, or any
9 other source on behalf of the patient for expenses incurred
10 by the patient after January 1, 2004, and for the incident
11 shall be deducted from the actual costs before deducting
12 the ten thousand dollar (\$10,000.00) deductible provided by
13 paragraph (iii) of this subsection, but where a payment
14 plan for monthly or other periodic payments has been
15 established with the patient, or any person on behalf of
16 the patient, only those payments expected to be received in
17 the first year after the due date of the first bill sent to
18 the patient shall be considered;

19

20 (v) Requests for reimbursement may be submitted
21 to the health department for payment only after one hundred
22 eighty (180) days have elapsed from the date the bill for
23 the services rendered was sent to the patient or his

1 representative, and only after good faith efforts have been
2 made to collect the bill.

3

4 (c) The department shall be responsible for
5 administering this program on behalf of the state of
6 Wyoming. The department may contract with a fiscal agent
7 to make the actual payments and conduct any necessary
8 audits of reimbursement requests. Reimbursement requests
9 shall be made in a form and manner prescribed by the
10 department. The department or its agent on its behalf may
11 request any documentation it deems necessary to support any
12 request for reimbursement.

13

14 (d) All requests for reimbursement shall be submitted
15 no later than November 30, 2005.

16

17 (e) If during any month the department finds that the
18 reimbursement requests reasonably expected during the
19 following month are likely to exceed the appropriation
20 available, the department shall set the last day of that
21 following month as the cutoff date for the submission of
22 requests for reimbursement and shall prorate the payment of
23 reimbursement requests received during that following month
24 to assure that the expenditures do not exceed the

1 appropriation. If necessary to avoid exceeding the
2 appropriation, the department may prorate the payment of
3 expenditure requests received during the month the
4 determination is made.

5

6 (f) If, for a claim which has been submitted, the
7 acute care hospital receives further reimbursement on or in
8 behalf of the patient which was not part of a monthly
9 payment plan or was not already planned for in calculating
10 the ten thousand dollar (\$10,000.00) deductible, the acute
11 care hospital shall inform the department and one-half
12 (1/2) of the amount received shall be deducted from future
13 payments to the hospital. When no further payments are to
14 be made to the hospital under this act, the hospital shall
15 remit to the department any remaining balances from
16 reimbursements not deducted from payments. The department
17 shall deposit remittance from this source into the general
18 fund.

19

20 **Section 2. Appropriations.**

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22 (a) There is appropriated to the department ten
23 million dollars (\$10,000,000.00) for the program set forth
24 in section 1 of this act and two hundred thousand dollars

1 (\$200,000.00) from the general fund to administer the
2 program. Three (3) positions are authorized for the
3 department to administer the program created by this act.

4

5 **Section 3.** This act is effective immediately upon
6 completion of all acts necessary for a bill to become law
7 as provided by Article 4, Section 8 of the Wyoming
8 Constitution.

9

10

(END)