

SENATE FILE NO. SF0042

Obstetric subsidy.

Sponsored by: Senator(s) Scott and Townsend and Representative(s) Osborn and Semlek

A BILL

for

1 AN ACT relating to medical assistance and services;  
2 providing an additional payment for obstetric services  
3 under the Wyoming Medical Assistance and Services Act;  
4 providing for an appropriation; and providing for an  
5 effective date.

6

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

8

9 **Section 1.**

10

11 (a) For calendar years 2004 and 2005 for the first  
12 ten (10) deliveries performed by each physician and paid  
13 for under the Wyoming Medical Assistance and Services Act,  
14 there shall be an additional malpractice insurance  
15 compensation payment of two thousand five hundred dollars  
16 (\$2,500.00) per delivery. For calendar year 2004 only

1 deliveries performed on or after the effective date of this  
2 act shall be so compensated. Deliveries before the  
3 effective date shall not be counted.

4

5 (b) If in any year the funds appropriated for the  
6 purposes of this act are expended and there are additional  
7 deliveries that would otherwise be eligible for  
8 compensation under subsection (a) of this section, no  
9 payments in excess of appropriated funds shall be made,  
10 however the joint appropriations interim committee shall be  
11 informed that the funds are expended and shall be given an  
12 estimate of the supplemental appropriation that would be  
13 required to pay for the additional eligible deliveries.

14

15 (c) The department of health shall make the payments  
16 on behalf of the state and may utilize a fiscal agent to do  
17 so. The department of health may structure the payments in  
18 any way to capture any federal share available under the  
19 Medicaid program, provided the payment structure makes the  
20 full payment authorized to each physician participating for  
21 the first ten (10) eligible deliveries.

22

23 (d) If a community is without obstetric services and  
24 the physicians who had previously provided obstetric

1 services have purchased the insurance coverage known as  
2 tail coverage to provide coverage for incidents occurring  
3 but not discovered while they were providing obstetric  
4 services, the health department may contract to purchase  
5 any such additional coverage that may be required at the  
6 end of this program if the physicians will return to  
7 provide obstetric services for recipients eligible for  
8 services under the Wyoming Medical Assistance and Services  
9 Act for the duration of this program.

10

11 (e) The Wyoming legislature finds that the payment  
12 authorized by this act is necessary to assure the continued  
13 availability of obstetric services for recipients eligible  
14 for services under the Wyoming Medical Assistance and  
15 Services Act and thus constitutes a necessary support of  
16 the poor as permitted by Article 16, Section 6 of the  
17 Wyoming Constitution.

18

19 **Section 2.** There is appropriated from the general  
20 fund to the department of health for the purposes of this  
21 act three million two hundred thousand dollars  
22 (\$3,200,000.00) of which two hundred thousand dollars  
23 (\$200,000.00) is reserved for the purchase of tail coverage

1 and shall remain available for expenditure until June 30,  
2 2006.

3

4 **Section 3.** This act is effective April 1, 2004.

5

6

(END)