

SENATE FILE NO. SF0049

Department of health service providers.

Sponsored by: Select Committee on Developmental Programs

A BILL

for

1 AN ACT relating to the department of health; providing
2 authority for the department to certify and contract with
3 providers of home and community based waiver services;
4 providing authority to impose sanctions or civil penalties
5 on contract providers as specified; providing for
6 rulemaking; and 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. 42-4-120 is created to read:

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12 **42-4-120. Contracts for waiver services; authority of**
13 **department.**

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15 (a) The department is authorized to enter into
16 contracts with providers of services under a federal home
17 and community based waiver.

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2 (b) The department shall adopt and enforce reasonable
3 rules and regulations for the certification of home and
4 community based waiver services, and shall include minimum
5 certification standards for each category of service
6 provider.

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8 (c) Before entering into a contract with a provider
9 of services under this section, the department shall
10 ascertain that the provider is in compliance with
11 applicable regulations regarding health care providers
12 adopted pursuant to W.S. 35-2-908, with all applicable
13 professional licensing statutes and regulations and with
14 regulations adopted pursuant to subsection (b) of this
15 section

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17 (d) In addition to other remedies, in the event of a
18 continuing condition creating serious detriment to the
19 health, safety or welfare of recipients of home and
20 community based waiver services, the department may impose
21 a civil penalty upon the provider. The civil penalty shall
22 not exceed one thousand dollars (\$1,000.00) per day, and
23 shall be remitted to the state treasurer for deposit in the

1 general fund except as otherwise provided by federal law
2 for Medicaid certified nursing facilities.

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4 (e) The department shall have the same authority to
5 place conditions upon a provider, to impose a monitor or to
6 revoke a certification issued under this section as
7 described in W.S. 35-2-905.

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

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(END)