

**WORKING DRAFT**

SENATE FILE NO. \_\_\_\_\_

Department of health-provider contract restrictions.

Sponsored by: Select Committee on Mental Health and  
Substance Abuse Services

A BILL

for

1 AN ACT relating to the department of health; requiring a  
2 portion of funding to community-based mental health and  
3 substance abuse programs to be withheld until specified  
4 conditions are met; providing for reversion of funds as  
5 specified; specifying applicability of the restriction; 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(a)(iii) is amended to read:

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12 **9-2-102. Department of health; duties and**  
13 **responsibilities; state grants.**

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1           (a) The department of health is the state mental  
2 health authority, the developmental disabilities authority  
3 and the substance abuse authority. The department through  
4 its divisions has the following duties and responsibilities  
5 to:

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7           (iii) Establish minimum standards and approve  
8 policies and procedures for the establishment and operation  
9 of community-based mental health, substance abuse and  
10 developmental disabilities programs receiving state  
11 support. The department through its mental health division  
12 and its substance abuse divisions shall annually withhold  
13 not less than five percent (5%) of all amounts provided in  
14 each contract with a community-based mental health or  
15 substance abuse program and shall not release the funds  
16 withheld to the individual program until the respective  
17 division and the individual program enter into an agreement  
18 that provides for performance measures. If the respective  
19 division and an individual program do not enter into a  
20 mutually agreed upon set of performance measures, the funds  
21 withheld under this paragraph shall revert to the budget  
22 reserve account at the end of the biennium in which the  
23 funds were withheld;

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1           **Section 2.** W.S. 9-2-102(a)(iii), as amended by this  
2 act, shall apply to any contract entered into between the  
3 department of health, mental health division or substance  
4 abuse division, and a community-based mental health or  
5 substance abuse provider on or after July 1, 2007.

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7           **Section 3.** This act is effective July 1, 2007.

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(END)