

## HOUSE BILL NO. HB0041

Developmental disabilities-emergency services.

Sponsored by: Select Committee on Developmental Programs

A BILL

for

1 AN ACT relating to the Wyoming Medical Assistance and  
2 Services Act; providing for emergency services for  
3 developmental disabilities and adult brain injuries under  
4 that act; granting rulemaking authority; requiring reports;  
5 providing an appropriation; and providing for an effective  
6 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 by creating a new subsection

11 (f) is amended to read:

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13 **42-4-120. Contracts for waiver services; authority of**  
14 **department; emergency case services.**

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16 (f) The department, not later than April 1, 2008,  
17 shall promulgate rules under which an emergency case shall

1 be determined to exist with respect to eligibility for  
2 federal home and community based waiver services for  
3 persons with developmental disabilities or adult brain  
4 injury under this act. Upon a finding by the department  
5 that an emergency exists under this subsection, the  
6 department in accordance with its rules and regulations  
7 shall make necessary expenditures for the recipient from  
8 the emergency contingency account established for that  
9 purpose. Expenditures from the emergency contingency  
10 account shall be limited to those services necessary to  
11 provide authorized customary services as provided by home  
12 and community-based waivers for persons with developmental  
13 disabilities or adult brain injury in response to the  
14 emergency situation until the emergency no longer exists or  
15 eligibility under this act can be determined and any  
16 necessary services provided from nonemergency funding  
17 sources. The developmental disabilities division of the  
18 department of health shall submit an accounting to the  
19 joint appropriations interim committee and the joint labor,  
20 health and social services interim committee by October 1  
21 of each year regarding total expenditures and the number of  
22 persons provided emergency services pursuant to this  
23 subsection.

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1           **Section 2.**

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3           (a) For the purposes of this act, there is  
4 appropriated to the department of health for the period  
5 commencing July 1, 2007 five hundred thousand dollars  
6 (\$500,000.00) from the budget reserve account and any  
7 federal matching funds for which the expenditures may  
8 qualify.

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10          (b) Funds appropriated under this section shall be  
11 used only for the purposes of this act, shall not be  
12 transferred or expended for any other purpose and shall not  
13 be expended until the adoption of final rules as provided  
14 in section 1 of this act. Any unexpended, unobligated  
15 funds remaining from this appropriation on June 30, 2008  
16 shall not revert to the budget reserve account, but shall  
17 revert to that account on June 30, 2010.

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

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24

(END)