

SENATE FILE NO. SF0039

Child health insurance program.

Sponsored by: Senator(s) Massie, Decaria, Hastert and Ross
and Representative(s) Davison, Hammons,
Jorgensen and Millin

A BILL

for

1 AN ACT relating to the child health insurance program;
2 increasing the maximum family income level for eligibility
3 in the program; authorizing state funding for coverage as
4 specified; removing the requirement of federal approval and
5 federal funding for participation of parents and guardians
6 in the program; authorizing families or guardians with
7 higher incomes to buy program coverage for their children;
8 providing appropriations; authorizing a position; and
9 providing for an effective date.

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

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13 **Section 1.** W.S. 35-25-101, 35-25-103 and
14 35-25-111(a)(intro) and (g) are amended to read:

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16 **35-25-101. Uninsured child health insurance program.**

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2 There is created a child health insurance program for
3 eligible children and families ~~with a gross monthly income~~
4 ~~at or below one hundred eighty five percent (185%) of the~~
5 ~~federal poverty level, until July 1, 2005, and thereafter,~~
6 ~~for families with a gross monthly income at or below two~~
7 ~~hundred percent (200%) of the federal poverty level~~ as
8 provided in W.S. 35-25-103 and 35-25-111.

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10 **35-25-103. Child health insurance program**
11 **eligibility.**

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13 (a) Subject to approval of the state plan by the
14 United States secretary of health and human services, and
15 subject to available state and federal funding the
16 department shall provide a health insurance plan offered
17 through a private insurance company licensed by the
18 insurance commissioner to write insurance in Wyoming for an
19 eligible child whose monthly gross family income is not
20 more than ~~one hundred eighty five percent (185%) of the~~
21 ~~federal poverty level, until July 1, 2005, and thereafter,~~
22 ~~whose monthly gross family income is not more than two~~
23 ~~hundred percent (200%)~~ three hundred percent (300%) of the
24 federal poverty level.

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(b) To the extent required for approval of the state plan, the department shall maximize the share of state funding and amend the plan as necessary for those eligible children whose monthly gross family income is greater than two hundred fifty percent (250%) but not more than three hundred percent (300%) of the federal poverty level. If the United States secretary of health and human services does not approve coverage of children whose monthly gross family income is greater than two hundred fifty percent (250%) but not more than three hundred percent (300%) of the federal poverty level, the department shall use available state funds to provide that coverage, provided however that the total enrollment of children in that income category shall not exceed one thousand seven hundred fifty (1,750) children.

(c) The family of an otherwise eligible child whose family income is greater than three hundred percent (300%) of the federal poverty level may purchase coverage for the child under the program developed pursuant to W.S. 35-25-104, subject to the following conditions:

1 (i) The family shall pay the full premium cost
2 of the coverage, as determined by the health benefits plan
3 committee;

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5 (ii) The child has not been covered under
6 another individual or group health insurance plan for a
7 continuous period of four (4) months prior to applying for
8 coverage under this subsection.

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10 (d) A child who is determined eligible to receive
11 benefits under this section shall remain eligible for
12 twelve (12) months as long as the child resides in the
13 state of Wyoming and has not yet attained nineteen (19)
14 years of age. A child's eligibility to receive benefits
15 under this act shall be redetermined on an annual basis. A
16 simplified application process, which includes minimum
17 eligibility requirements, shall be provided throughout the
18 state at various public and private establishments approved
19 by the department of health. To be determined eligible to
20 receive benefits under this section, a child shall not be
21 eligible under the Wyoming Medical Assistance and Services
22 Act, except as provided in paragraph (c)(ii) of this
23 section shall not have been covered under another health
24 insurance plan for a minimum of one (1) month prior to

1 application for coverage under this act or, upon birth, the
2 child would not otherwise be covered by a public or private
3 health insurance plan. Eligibility under this section shall
4 be determined by the department of health or its designee.

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6 **35-25-111. Participation of parents or guardians;**
7 **employer premium contribution.**

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9 (a) Subject to ~~the approval of a waiver by the United~~
10 ~~States secretary of health and human services and subject~~
11 ~~to available state and federal funding~~ legislative
12 appropriation, parents or guardians of children enrolled in
13 the child health insurance program or the medical
14 assistance program may be eligible for participation in the
15 programs under the following conditions:

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17 (g) The total enrollment of parents, guardians and
18 students through the waiver in the child health insurance
19 program or the medical assistance program shall not exceed
20 three thousand seven hundred twenty (3,720) for the ~~2007-~~
21 ~~2008-~~ 2009-2010 biennium and the total enrollment for future
22 biennia shall be as determined in the applicable budget
23 bill.

1 **Section 2.**

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3 (a) There is appropriated two hundred thirty-seven
4 thousand nine hundred dollars (\$237,900.00) from the
5 general fund and one hundred fifty-two thousand one hundred
6 dollars (\$152,100.00) from federal funds to the department
7 of health. This appropriation shall be for the period
8 beginning with the effective date of this act and ending
9 June 30, 2010. This appropriation shall only be expended
10 for the purpose of providing health insurance to children
11 whose monthly gross family income is greater than two
12 hundred percent (200%) but not more than three hundred
13 percent (300%) of the federal poverty level.
14 Notwithstanding any other provision of law, this
15 appropriation shall not be transferred or expended for any
16 other purpose and any unexpended, unobligated state funds
17 remaining from this appropriation shall revert as provided
18 by law on June 30, 2010.

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20 (b) There is appropriated three hundred ninety
21 thousand dollars (\$390,000.00) from the general fund to the
22 department of health. This appropriation shall be for the
23 period beginning with the effective date of this act and
24 ending June 30, 2010. This appropriation shall only be

1 expended for the purpose of providing health insurance to
2 parents and guardians pursuant to W.S. 35-25-111.
3 Notwithstanding any other provision of law, this
4 appropriation shall not be transferred or expended for any
5 other purpose and any unexpended, unobligated funds
6 remaining from this appropriation shall revert as provided
7 by law on June 30, 2010.

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9 (c) There is appropriated nineteen thousand two
10 hundred eighty dollars (\$19,280.00) from the general fund
11 and thirty-five thousand eight hundred seven dollars
12 (\$35,807.00) in federal funds to fund one (1) full-time
13 position in the department of health. This appropriation
14 shall be for the period beginning with the effective date
15 of this act and ending June 30, 2010. This appropriation
16 shall only be expended for the purpose of administering the
17 child health insurance program. Notwithstanding any other
18 provision of law, this appropriation shall not be
19 transferred or expended for any other purpose and any
20 unexpended, unobligated funds remaining from this
21 appropriation shall revert as provided by law on June 30,
22 2010.

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