SENATE FILE NO. SF0145

Hospital uncompensated care.

Sponsored by: Senator(s) Peterson, Anderson, J.D. (SD02), Driskill and Landen and Representative(s) Barlow

A BILL

for

AN ACT relating to public health; providing for payments to acute care hospitals for uncompensated charity care as specified; providing definitions; providing an appropriation; and providing for an effective date.

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

Section 1. W.S. 35-2-1101 through 35-2-1104 is created to read:

ARTICLE 11

UNCOMPENSATED CHARITY CARE

35-2-1101. Definitions.

(a) As used in this article:

(i) "Acute care hospital" means a hospital licensed in Wyoming pursuant to W.S. 35-2-901 through 35-2-911 and which provides acute patient care but excluding those hospitals that do not operate a full-time emergency room or that do not accept Medicaid patients;

(ii) "Department" means the Wyoming department of health;

(iii) "Uncompensated charity care" means hospital care that an individual cannot reasonably be expected to pay for due to poverty. The department in administering this article shall use the definition of uncompensated charity care used by the federal government in preparing the Medicare cost report.

35-2-1102. Uncompensated charity care fund established.

(a) The uncompensated charity care account is established. The account shall be administered by the

department. Funds in the account shall be distributed on a quarterly basis to acute care hospitals in the state to reduce hospitals' costs for uncompensated charity care.

(b) The department shall promulgate rules and regulations to administer the fund. The rules and regulations shall include provisions for:

(i) Ensuring that reimbursements do not exceed available funds;

(ii) Limiting reimbursement to the necessary support of the poor;

(iii) Preventing duplication between distributions from the account and proceeds from Medicaid or other third party payors;

(iv) Providing for hospital reports and distributions for uncompensated charity care beginning July 1, 2015. In calculating its uncompensated charity care each hospital shall use the cost-to-charge ratio in its most recent Medicare cost report.

(c) The department may contract with a fiscal agent to make the actual payments and conduct any necessary audits or distribution requests. Distribution requests shall be made in a form and manner prescribed by the department. The department or its agent on its behalf may request any documentation it deems necessary to support any request for reimbursement.

35-2-1103. Uncompensated care; hospital reports.

Each acute care hospital shall report to the department for each fiscal year the total cost of uncompensated charity care based on audited and settled cost reports from the most recent settled year.

35-2-1104. Uncompensated charity care account; limits on distributions.

The department shall limit hospitals' distributions under this article for uncompensated charity care as provided in this section. The department shall calculate each hospital's fractional share of the total uncompensated

charity care as shown in the most recent audited and settled Medicare cost report as of June 1, 2015. A hospital's distribution shall not exceed the available appropriated funds, multiplied by that hospital's fractional share of the total charity care.

Section 2. There is appropriated five million dollars ($5,000,000.00) from the general fund to the uncompensated charity care account created by W.S. 35-2-1102. Notwithstanding any other provision of law, this appropriation shall not be included in the 2017-2018 standard biennial budget. This appropriation shall be expended only as provided by W.S. 35-2-1104.

Section 3. This act is effective July 1, 2015.

(END)