

HOUSE BILL NO. HB0245

Medicaid SHARE plan-2.

Sponsored by: Representative(s) Wilson and Throne and  
Senator(s) Pappas

A BILL

for

1 AN ACT relating to Medicaid; providing for expansion of  
2 coverage to low income persons as specified; authorizing a  
3 Medicaid demonstration waiver and state plan amendment;  
4 providing waiver and plan amendment requirements as  
5 specified; providing appropriations; and providing for an  
6 effective date.

7

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

9

10 **Section 1.** W.S. 42-4-401 through 42-4-406 are created  
11 to read:

12

13

ARTICLE 4

14

MEDICAID EXPANSION

15

1           **42-4-401. Definitions.**

2

3           (a) As used in this article:

4

5                   (i) "Alternative benefits plan" means a package  
6 of health care benefits, defined in the demonstration  
7 waiver documents or state plan amendment authorized in this  
8 article, and afforded to individual participants pursuant  
9 to this article. The alternative benefits plan shall  
10 include:

11

12                   (A) Essential health benefits required  
13 under section 1302(b) of the Patient Protection and  
14 Affordable Care Act, P.L. 111-148;

15

16                   (B) Benefits benchmarked to, actuarially  
17 equivalent to or otherwise similar to a commercial private  
18 insurance plan to the extent authorized by section  
19 1937(b)(1) or 1937(b)(2) of the Social Security Act, 42  
20 U.S.C. 1396u-7(b);

21

22                   (C) Additional benefits as required by  
23 Medicaid regulations;

1

2 (D) For medically frail individuals and  
3 other populations deemed necessary by federal regulations,  
4 medical assistance as provided to qualified recipients  
5 under article 1 of this chapter.

6

7 (ii) "Demonstration waiver" or "waiver" means a  
8 negotiated demonstration waiver under section 1115 of the  
9 Social Security Act, 42 U.S.C. 1315;

10

11 (iii) "Program" means Medicaid coverage for  
12 certain individuals authorized by W.S. 42-4-402 and  
13 42-4-403.

14

15 **42-4-402. Medicaid expansion; demonstration project**  
16 **for higher income individuals.**

17

18 (a) The director of the department and the governor  
19 are authorized to implement a demonstration waiver to  
20 provide Medicaid coverage as provided in this section, as  
21 soon as practicable after July 1, 2015, for individuals who  
22 are described under section 1902(a)(10)(A)(i)(VIII) of the  
23 Social Security Act, 42 U.S.C. 1396a(a)(10)(A)(i)(VIII),

1 and who meet the eligibility and participation requirements  
2 of this section.

3

4 (b) For medically frail individuals and other  
5 populations deemed necessary by federal regulations,  
6 medical assistance shall include the same benefits as are  
7 provided to qualified recipients under article 1 of this  
8 chapter.

9

10 (c) Except as provided in subsection (b) of this  
11 section, any Medicaid coverage pursuant to this section  
12 shall be subject to the following:

13

14 (i) Coverage shall be pursuant to a negotiated  
15 demonstration waiver under section 1115 of the Social  
16 Security Act, 42 U.S.C. 1315;

17

18 (ii) Individuals with modified adjusted gross  
19 income above one hundred percent (100%) and up to one  
20 hundred thirty-three percent (133%) of the federal poverty  
21 level, as defined in 42 U.S.C. 1396a(e)(14)(I)(i), shall be  
22 eligible to become participants in the program under this  
23 section;

1

2 (iii) Participants shall be required to pay a  
3 monthly premium based on modified adjusted income and shall  
4 be required to make copayments for covered services in  
5 amounts set forth in the alternative benefits plan. Cost  
6 sharing, including premiums and copayments, shall not  
7 exceed five percent (5%) of a participant's modified  
8 adjusted gross income;

9

10 (iv) A participant who fails to pay required  
11 premiums for ninety (90) days shall be disenrolled from the  
12 program;

13

14 (v) Participants who within a plan year  
15 successfully complete healthy lifestyle challenges  
16 specified by the program shall receive a premium discount  
17 for the following plan year.

18

19 **42-4-403. Medicaid expansion; alternative benefit**  
20 **plan for lower income individuals.**

21

22 (a) The director of the department shall amend the  
23 state Medicaid plan to provide Medicaid coverage as

1 provided in this section as soon as practicable after July  
2 1, 2015 for individuals who are described under section  
3 1902(a)(10)(A)(i)(VIII) of the Social Security Act, 42  
4 U.S.C. 1396a(a)(10)(A)(i)(VIII), and who meet the  
5 eligibility and participation requirements of this section.

6

7 (b) For medically frail individuals and other  
8 populations deemed necessary by federal regulations,  
9 medical assistance shall include the same benefits as are  
10 provided to qualified recipients under article 1 of this  
11 chapter.

12

13 (c) Except as provided in subsection (b) of this  
14 section, any Medicaid coverage pursuant to this section  
15 shall be subject to the following:

16

17 (i) Individuals with income equal to or below  
18 one hundred percent (100%) of the federal poverty level  
19 shall be eligible to become participants in the program  
20 under this section;

21

22 (ii) Participants shall not be required to pay a  
23 monthly premium but shall be required to make copayments

1 for covered services in amounts determined by the  
2 department and as specified in the state Medicaid plan.

3

4 **42-4-404. Medicaid expansion; alternative benefit**  
5 **plan for all groups.**

6

7 (a) The following shall apply to Medicaid expansion  
8 for both higher income individuals under W.S. 42-4-402 and  
9 for lower income individuals under W.S. 42-4-403:

10

11 (i) Health care services shall be available  
12 through the regular Medicaid provider network and  
13 administered by the department, but shall include only  
14 those services identified in the alternative benefits plan;

15

16 (ii) To the extent authorized by federal law,  
17 participants shall be required to complete a comprehensive  
18 health assessment upon program enrollment and annually  
19 thereafter;

20

21 (iii) The program shall include comprehensive  
22 case management and utilization review for individuals with  
23 complex healthcare needs;

1

2 (iv) Participants who are able to work shall be  
3 enrolled in an appropriate work assistance benefit at the  
4 time of application. The work assistance benefit may  
5 include, as appropriate for the individual participant,  
6 access to a job search website, resume assistance, services  
7 for matching skills to jobs, job training and vocational  
8 rehabilitation.

9

10 **42-4-405. Medicaid expansion; employer sponsored**  
11 **insurance premium assistance.**

12

13 Individuals eligible for Medicaid under this article who  
14 are employed and who are eligible for an employer sponsored  
15 group health plan, in which the client's cost-sharing  
16 obligations in the plan do not exceed nine and one-half  
17 percent (9.5%) of the individual's modified adjusted gross  
18 income, may receive premium assistance as a Medicaid  
19 benefit in lieu of benefits under W.S. 42-4-402 or  
20 42-4-403.

21

22 **42-4-406. Medicaid expansion; federal funding**  
23 **contingency.**



1

2 The Medicaid program created by this article shall not be  
3 administered during any time period in which the federal  
4 medical assistance percentage, as currently provided  
5 pursuant to 42 U.S.C. 1396d(y), is less than ninety percent  
6 (90%).

7

8 **Section 2.**

9

10 (a) There is appropriated up to fifty-four million  
11 dollars (\$54,000,000.00) in federal funds to the department  
12 of health. This appropriation shall be for the period  
13 beginning with the effective date of this act and ending  
14 December 31, 2016. This appropriation shall only be  
15 expended for the purpose of expanded Medicaid coverage  
16 pursuant to 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and W.S.  
17 42-4-401 through 42-4-406. Notwithstanding any other  
18 provision of law, this appropriation shall not be  
19 transferred or expended for any other purpose.

20

21 (b) There is appropriated up to one million five  
22 hundred thousand dollars (\$1,500,000.00) from the general  
23 fund to the department of health. This appropriation shall

1 be for the period beginning with the effective date of this  
2 act and ending December 31, 2016. This appropriation shall  
3 only be expended for the purpose of the state's share of  
4 administration expenses related to expanded Medicaid  
5 coverage pursuant to 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and  
6 W.S. 42-4-401 through 42-4-406. Notwithstanding any other  
7 provision of law, this appropriation shall not be  
8 transferred or expended for any other purpose.

9

10 **Section 3.** This act is effectively immediately upon  
11 completion of all acts necessary for a bill to become law  
12 as provided by Article 4, Section 8 of the Wyoming  
13 Constitution.

14

15

(END)