

SENATE FILE NO. SF0129

Medicaid SHARE plan.

Sponsored by: Senator(s) Von Flatern, Emerich and Pappas
and Representative(s) Wilson

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 42-4-407 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. 42-4-403 and
13 42-4-404.

14

15 **42-4-402. Temporary Medicaid expansion.**

16

17 Commencing as soon as practicable after July 1, 2015, the
18 department shall provide for all persons described under
19 section 1902(a)(10)(A)(i)(VIII) of the Social Security Act,
20 42 U.S.C. 1396a(a)(10)(A)(i)(VIII), to be eligible for
21 services under this chapter, to the extent authorized by
22 this article.

23

1 **42-4-403. Medicaid expansion; demonstration project**
2 **for higher income individuals.**

3
4 (a) The director of the department and the governor
5 are authorized to implement a demonstration waiver to
6 provide Medicaid coverage as provided in this section, as
7 soon as practicable after July 1, 2015, for individuals who
8 are described under section 1902(a)(10)(A)(i)(VIII) of the
9 Social Security Act, 42 U.S.C. 1396a(a)(10)(A)(i)(VIII),
10 and who meet the eligibility and participation requirements
11 of this section.

12
13 (b) For medically frail individuals and other
14 populations deemed necessary by federal regulations,
15 medical assistance shall include the same benefits as are
16 provided to qualified recipients under article 1 of this
17 chapter.

18
19 (c) Except as provided in subsection (b) of this
20 section, any Medicaid coverage pursuant to this section
21 shall be subject to the following:

22

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

4
5 (ii) Individuals with modified adjusted gross
6 income above one hundred percent (100%) and up to one
7 hundred thirty-three percent (133%) of the federal poverty
8 level, as defined in 42 U.S.C. 1396a(e)(14)(I)(i), shall be
9 eligible to become participants in the program under this
10 section;

11
12 (iii) Participants shall be required to pay a
13 monthly premium based on modified adjusted income and shall
14 be required to make copayments for covered services in
15 amounts set forth in the alternative benefits plan. Cost
16 sharing, including premiums and copayments, shall not
17 exceed five percent (5%) of a participant's modified
18 adjusted gross income;

19
20 (iv) A participant who fails to pay required
21 premiums for ninety (90) days shall be disenrolled from the
22 program;

23

1 (v) Participants who within a plan year
2 successfully complete healthy lifestyle challenges
3 specified by the program shall receive a premium discount
4 for the following plan year.

5

6 **42-4-404. Medicaid expansion; alternative benefit**
7 **plan for lower income individuals.**

8

9 (a) The director of the department shall amend the
10 state Medicaid plan to provide Medicaid coverage as
11 provided in this section as soon as practicable after July
12 1, 2015 for individuals who are described under section
13 1902(a)(10)(A)(i)(VIII) of the Social Security Act, 42
14 U.S.C. 1396a(a)(10)(A)(i)(VIII), and who meet the
15 eligibility and participation requirements of this section.

16

17 (b) For medically frail individuals and other
18 populations deemed necessary by federal regulations,
19 medical assistance shall include the same benefits as are
20 provided to qualified recipients under article 1 of this
21 chapter.

22

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

4

5 (i) Individuals with income equal to or below
6 one hundred percent (100%) of the federal poverty level
7 shall be eligible to become participants in the program
8 under this section;

9

10 (ii) Participants shall not be required to pay a
11 monthly premium but shall be required to make copayments
12 for covered services in amounts determined by the
13 department and as specified in the state Medicaid plan.

14

15 **42-4-405. Medicaid expansion; alternative benefit**
16 **plan for all groups.**

17

18 (a) The following shall apply to Medicaid expansion
19 for both higher income individuals under W.S. 42-4-403 and
20 for lower income individuals under W.S. 42-4-404:

21

22 (i) Health care services shall be available
23 through the regular Medicaid provider network and

1 administered by the department, but shall include only
2 those services identified in the alternative benefits plan;

3

4 (ii) To the extent authorized by federal law,
5 participants shall be required to complete a comprehensive
6 health assessment upon program enrollment and annually
7 thereafter;

8

9 (iii) The program shall include comprehensive
10 case management and utilization review for individuals with
11 complex healthcare needs;

12

13 (iv) Participants who are able to work shall be
14 enrolled in an appropriate work assistance benefit at the
15 time of application. The work assistance benefit may
16 include, as appropriate for the individual participant,
17 access to a job search website, resume assistance, services
18 for matching skills to jobs, job training and vocational
19 rehabilitation.

20

21 **42-4-406. Medicaid expansion; employer sponsored**
22 **insurance premium assistance.**

23

1 Individuals eligible for Medicaid under this article who
2 are employed and who are eligible for an employer sponsored
3 group health plan, in which the client's cost-sharing
4 obligations in the plan do not exceed nine and one-half
5 percent (9.5%) of the individual's modified adjusted gross
6 income, may receive premium assistance as a Medicaid
7 benefit in lieu of benefits under W.S. 42-4-403 or
8 42-4-404.

9

10 **42-4-407. Medicaid expansion; federal funding**
11 **contingency.**

12

13 The Medicaid program created by this article shall not be
14 administered during any time period in which the federal
15 medical assistance percentage, as currently provided
16 pursuant to 42 U.S.C. 1396d(y), is less than ninety percent
17 (90%).

18

19 **Section 2.**

20

21 (a) There is appropriated up to fifty-four million
22 dollars (\$54,000,000.00) in federal funds to the department
23 of health. This appropriation shall be for the period

1 beginning with the effective date of this act and ending
2 December 31, 2016. This appropriation shall only be
3 expended for the purpose of expanded Medicaid coverage
4 pursuant to 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and W.S.
5 42-4-401 through 42-4-407. Notwithstanding any other
6 provision of law, this appropriation shall not be
7 transferred or expended for any other purpose.

8
9 (b) There is appropriated up to one million five
10 hundred thousand dollars (\$1,500,000.00) from the general
11 fund to the department of health. This appropriation shall
12 be for the period beginning with the effective date of this
13 act and ending December 31, 2016. This appropriation shall
14 only be expended for the purpose of the state's share of
15 administration expenses related to expanded Medicaid
16 coverage pursuant to 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) and
17 W.S. 42-4-401 through 42-4-407. Notwithstanding any other
18 provision of law, this appropriation shall not be
19 transferred or expended for any other purpose.

20

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

5

6

(END)