

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)