

ORIGINAL HOUSE
BILL NO. HB0059

ENROLLED ACT NO. 4, HOUSE OF REPRESENTATIVES

SIXTY-FOUR LEGISLATURE OF THE STATE OF WYOMING
2016 BUDGET SESSION

AN ACT relating to health care; amending the child health insurance program as specified; specifying that the department of health shall administer a state supplemental security income program; providing definitions; specifying where an application for medical assistance may be filed; specifying that the department of health shall administer claims against an estate for medical assistance provided through Medicaid; and providing for an effective date.

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

Section 1. W.S. 35-25-102(a)(iv), 35-25-107(c), 42-1-101(a)(ii), 42-2-103(d), 42-2-401(a) by creating a new paragraph (vi), 42-4-106(a) and 42-4-206(a)(intro), (b) and (f) are amended to read:

35-25-102. Definitions.

(a) As used in this act:

(iv) "Private health insurance" means an individual insurance policy or contract for the purpose of paying for or reimbursing the cost of dental, hospital and medical care;

35-25-107. Program expenditures; monitoring; recommendations; required action to limit expenditures to budget available.

(c) The funding for the child health insurance program shall be deemed to be included within the ~~community and family health~~ division of health care financing line item within the department of health budget unless a separate line item is provided in the budget bill. General

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fund expenditures for the child health program shall not exceed the amount needed to match federal funds without explicit authorization enacted in the budget bill.

42-1-101. Definitions; generally.

(a) As used in this title:

(ii) "Department" means the department of family services unless otherwise specified;

42-2-103. Provision of assistance and services; duties of department; burial assistance; state supplemental security income program.

(d) The department of health shall administer a state supplemental security income program entitling any individual receiving payments under the federal supplemental security income program with no other income during any one (1) calendar month, to a payment for each month the condition exists. The monthly payment under this subsection shall be established by the legislature within the department's—department of family service's biennial budget appropriation, which shall not be less than the required payment under applicable federal law.

42-2-401. Definitions.

(a) For purposes of this article:

(vi) "Department" means the department of health unless otherwise specified.

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42-4-106. Application for assistance; determination of eligibility; assignment of benefits; resources and income allowances defined for institutionalized spouse.

(a) Any Wyoming resident may apply for medical assistance under this chapter by filing an application ~~with the~~ by telephone, by mail, in person at the eligibility customer service center in Cheyenne, on the eligibility internet site or at a department of family services field office located in the county in which the individual resides. A determination of eligibility for medical assistance shall be based upon the application. Medical assistance shall be provided on behalf of a qualified applicant with reasonable promptness.

42-4-206. Claims against estates.

(a) If an individual receives any medical assistance pursuant to this chapter, upon the individual's death, if single, or upon the death of the survivor of a married couple, either of whom received medical assistance, the total amount paid for medical assistance rendered for the individual or the spouse shall be filed by the department of health as a claim against the estate of the individual or the estate of the surviving spouse in the court having jurisdiction to probate the estate. A claim shall be filed if medical assistance was rendered for either person under one (1) of the following circumstances:

(b) The claim shall be considered an expense of the last illness of the decedent. Any statute of limitations which attempts to limit the department of health to recover for medical assistance provided pursuant to this chapter shall not apply to any claim made under this section for reimbursement for the medical assistance.

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(f) The department of ~~family services~~ health shall establish procedures, in accordance with standards specified by the secretary of health and human services, under which the department of health shall waive the application of this section if application would work an undue hardship on the basis of criteria established by the secretary.

Section 2. W.S. 35-25-111 is repealed.

Section 3. This act is effective July 1, 2016.

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk