

HOUSE BILL NO. HB0120

CHIP-state administration.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to the child health insurance program;
2 authorizing the program to be provided by the state or by a
3 private insurance company; amending charge and collection
4 limits; discontinuing the CHIP health benefits plan
5 committee; making conforming amendments; and providing for
6 an effective date.

7

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

9

10 **Section 1.** W.S. 35-25-103, 35-25-104(a)(intro),
11 35-25-106(a) and (b) and 35-25-108(b)(i) are amended to
12 read:

13

14 **35-25-103. Child health insurance program**
15 **eligibility; services by department or private health**
16 **insurance.**

1

2 (a) Subject to approval of the state plan by the
3 United States secretary of health and human services, and
4 subject to available state and federal funding the
5 department shall provide a health insurance plan offered
6 ~~through a private insurance company licensed by the~~
7 ~~insurance commissioner to write insurance in Wyoming~~ for an
8 eligible child whose monthly gross family income is not
9 more than ~~one hundred eighty five percent (185%) of the~~
10 ~~federal poverty level, until July 1, 2005, and thereafter,~~
11 ~~whose monthly gross family income is not more than~~ two
12 hundred percent (200%) of the federal poverty level. A
13 child who is determined eligible to receive benefits under
14 this section shall remain eligible for twelve (12) months
15 as long as the child resides in the state of Wyoming and
16 has not yet attained nineteen (19) years of age. A child's
17 eligibility to receive benefits under this act shall be
18 redetermined on an annual basis. A simplified application
19 process, which includes minimum eligibility requirements,
20 shall be provided throughout the state at various public
21 and private establishments approved by the department of
22 health. To be determined eligible to receive benefits under
23 this section, a child shall not be eligible under the

1 Wyoming Medical Assistance and Services Act, shall not have
2 been covered under another health insurance plan for a
3 minimum of one (1) month prior to application for coverage
4 under this act or, upon birth, the child would not
5 otherwise be covered by a public or private health
6 insurance plan. Eligibility under this section shall be
7 determined by the department of health or its designee.

8
9 (b) The child health insurance plan required by
10 subsection (a) of this section shall be provided either
11 through a private health insurance company licensed by the
12 insurance commissioner to write insurance in Wyoming or by
13 the department of health's division responsible for
14 administering the Medicaid program. The department's
15 division shall be used to provide the insurance plan only
16 if it can provide the plan at a lower cost than can a
17 qualified private insurance company or if use of the
18 division will otherwise accrue more benefits to the state
19 than will use of a private insurance company. If the child
20 health insurance plan required by subsection (a) of this
21 section is provided through the department's division, the
22 department shall competitively procure the contract at
23 least once every five (5) years. In awarding the contract

1 the department shall compare the cost of operating the
2 program through a private insurance company to a forecasted
3 state administered alternative.

4
5 (c) A medical provider who accepts payment for
6 services provided under this section shall not charge or
7 attempt to collect payments in excess of a rate schedule
8 established by the department or in excess of rates
9 negotiated with a private health insurance company who is
10 offering child health insurance pursuant to this act.

11
12 **35-25-104. Program benefits.**

13
14 (a) A child eligible for services under this act
15 shall receive benefits developed by the ~~health benefits~~
16 ~~committee established under W.S. 35-25-105~~ department as
17 allowed by 42 U.S.C. 1397cc et seq. and that include:

18
19 **35-25-106. Private health insurance plan request for**
20 **proposals.**

21
22 (a) If the child health insurance plan required by
23 W.S. 35-25-103 is provided through a private health

1 insurance company, the department shall ~~publish notice of~~
2 issue a request for proposals from qualified insurers ~~to~~
3 ~~provide a health insurance plan for children insured under~~
4 ~~W.S. 35-25-103 of this act~~ not less than once every five
5 (5) years, in addition to the requirements set forth in
6 W.S. 35-25-103(b). The department shall award the contract
7 for this service to an insurer based on price, the
8 provision of ~~benchmark~~ required services ~~determined~~
9 ~~pursuant to W.S. 35-25-105(c),~~ and other factors listed in
10 the department's request for proposals. ~~The~~ A contract for
11 health insurance awarded under this section shall contain
12 provisions with respect to exclusions from coverage for
13 preexisting conditions that are no more restrictive than
14 those described in 42 U.S.C. 1397bb(b)(1)(B)(ii). The
15 contract shall include provisions for changes in terms and
16 conditions and for rebidding in case major changes are
17 needed. The department shall have the right to rebid the
18 contract after two (2) years.

19

20 (b) Biennially, the department may allow ~~the~~ a
21 contractor providing child health insurance pursuant to
22 subsection (a) of this section to adjust the price charged
23 for the coverage, but if the price is increased, the

1 department may, after public notice, rebid the contract or
2 the department may administer the program pursuant to W.S.
3 35-25-103.

4

5 **35-25-108. Implementation; duties; restrictions on**
6 **the department of health.**

7

8 (b) The department shall not implement:

9

10 (i) The program under this act until a state
11 plan has been approved by the United States secretary of
12 health and human services or, for any modified plan, until
13 the modified plan has been approved if the modifications
14 require the approval of the United States secretary of
15 health and human services; and

16

17 **Section 2.** W.S. 35-25-105 and 35-25-106(c) are
18 repealed.

19

20 **Section 3.** This act is effective July 1, 2020.

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22

(END)