

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

SENATE FILE NO. \_\_\_\_\_

Health insurance exchanges.

Sponsored by: Joint Labor, Health and Social Services  
Interim Committee

A BILL

for

1 AN ACT relating to the administration of government and the  
2 2010 federal health care reform; providing for an initial  
3 study of whether the state should establish a Wyoming  
4 health insurance exchange; requiring a report and  
5 specifying report requirements; providing an appropriation;  
6 and providing for an effective date.

7

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

9

10 **Section 1.**

11

12 (a) The governor shall conduct an initial  
13 reconnaissance study of whether to create a Wyoming health

1 insurance exchange, hereinafter referred to as "the  
2 exchange," as provided in the Patient Protection and  
3 Affordable Care Act, P.L. 111-148, and the Health Care and  
4 Education Reconciliation Act of 2010, P.L. 111-152,  
5 hereinafter referred to collectively as "the health care  
6 reform acts."

7

8 (b) The governor shall designate a study oversight  
9 task force, which may be a state agency, more than one (1)  
10 state agency or an ad hoc task force created by the  
11 governor to conduct the study.

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13 (c) The oversight task force shall have the authority  
14 to contract with experts and consultants as may be useful  
15 in conducting the study.

16

17 (d) The study shall:

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19 (i) Recommend whether the state should decide to  
20 proceed or not to proceed with the development of the  
21 exchange;

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1           (ii)     If the recommendation is that the state  
2 should proceed with the development of the exchange,  
3 provide a work plan for the development of the exchange and  
4 identify any legislation needed to implement the exchange  
5 during the 2012 legislative budget session or subsequent  
6 legislative sessions;

7

8           (iii)  Recommend whether a final decision to  
9 proceed or not proceed with the development of the exchange  
10 should be deferred until 2012 or 2013.  If a deferral is  
11 recommended, the study shall identify the additional work  
12 needed before a final decision can be made;

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14           (iv)  Evaluate whether the exchange will help the  
15 operation of the private marketplace in health insurance by  
16 helping people comparison shop for health insurance and by  
17 reducing the marketing cost for health insurance.  The  
18 study shall identify any additional work needed to  
19 facilitate these goals, if they are feasible;

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21           (v)  Consider the experience of Utah and  
22 Massachusetts in developing and operating health insurance

1 exchanges, with primary attention being given to the Utah  
2 experience;

3

4 (vi) Evaluate whether the exchange should offer  
5 the full scope of services that the Utah exchange provides  
6 or whether a more limited scope of services is appropriate;

7

8 (vii) Recommend whether Wyoming should proceed  
9 with the development of a health insurance exchange if the  
10 related provisions in the health care reform acts are  
11 repealed;

12

13 (viii) Evaluate whether there is a reasonable  
14 opportunity for litigation to prevent the federal  
15 government from proceeding with a health insurance exchange  
16 serving Wyoming if Wyoming decides not to create a Wyoming  
17 health insurance exchange or creates an exchange with a  
18 limited scope not meeting the requirements of the health  
19 care reform acts. The study shall also evaluate whether  
20 the operation of a federal exchange would do sufficient  
21 harm to the people of Wyoming to justify that litigation;

22

1           (ix) Evaluate whether an exchange can be used to  
2 facilitate the sale of health insurance across state lines  
3 and whether a decision by Wyoming to opt out of the  
4 Medicaid program or other provisions of national health  
5 insurance reform would affect the ability of other states  
6 to join with Wyoming in the sale of insurance across state  
7 lines.

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9           (e) A preliminary or interim study report shall be  
10 provided to the joint labor, health and social services  
11 interim committee by October 1, 2011.

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13           (f) There is appropriated five thousand dollars  
14 (\$5,000.00) from the general fund to the governor's office.  
15 This appropriation shall be for the period beginning with  
16 the effective date of this act and ending June 30, 2012.  
17 This appropriation shall only be expended for the purpose  
18 of conducting the study and preparing the report required  
19 by this act. Notwithstanding any other provision of law,  
20 this appropriation shall not be transferred or expended for  
21 any other purpose and any unexpended, unobligated funds  
22 remaining from this appropriation shall revert as provided  
23 by law on June 30, 2012. This appropriation shall not be

1 included in the governor's 2012 supplemental budget request  
2 or the 2013-2014 standard biennial budget request.

3

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

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9

(END)