

[BUDGET(s) AFFECTED]

Sections Under Consideration:

Section 330s. [ADDITIONS TO 300 SECTIONS]

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1 Page 159-after line 11 Insert the following new section and
2 renumber as necessary:

3
4 "[MEDICAID EXPANSION]

5
6 **Section 330.**

7
8 (a) If directed by the governor, the insurance commissioner
9 of this state and the director of the department of health shall,
10 as soon as practicable, negotiate with the centers for Medicare
11 and Medicaid services of the United States department of health
12 and human services to obtain a state plan amendment or other
13 federal authorization to provide for Medicaid expansion to cover
14 all persons described under section 1902(a)(10)(A)(i)(VIII) of the
15 Social Security Act, 42 U.S.C. § 1396a(a)(10)(A)(i)(VIII), or any
16 other federal law that replaces that act before the repeal of this
17 section and subject to the requirements imposed under subsection
18 (b) of this section.

19
20 (b) If the negotiation authorized by subsection (a) of this
21 section reveals viable and fiscally advantageous options as
22 determined by the governor for the expansion of Medicaid
23 eligibility in Wyoming, the governor by and through the department
24 of health is authorized to pursue any Medicaid plan amendments or
25 other waivers that are necessary and prudent for the expansion.
26 Any expansion authorized under this section shall be subject to
27 the following requirements and restrictions:

28
29 (i) Any expansion of Medicaid under this section shall
30 not be administered during any time period in which the increased
31 federal medical assistance percentage, as currently provided under
32 42 U.S.C. § 1396d(y), is less than ninety percent (90%);

33
34 (ii) The director of the department of health may
35 negotiate a permanent increase to the federal medical assistance

1 percentage that is no lower than the average federal medical
2 assistance percentage of neighboring states;

3
4 (iii) No public funds used for the expansion of
5 Medicaid under this section shall be used in violation of W.S.
6 35-6-138;

7
8 (iv) No public funds used for the expansion of Medicaid
9 under this section shall be used for chemical neutering or puberty
10 blocking drugs or surgery for the treatment of gender dysphoria.

11
12 (c) To the extent necessary to pursue viable and fiscally
13 advantageous Medicaid expansion actions under this section, this
14 section shall be construed to supersede 2013 Wyoming Session
15 Laws, Chapter 116, Section 5.

16
17 (d) The department of health shall provide notice to the
18 governor and state auditor on the date that an expansion of
19 Medicaid eligibility under this section has occurred. On the
20 date notice is received, the state auditor shall,
21 notwithstanding W.S. 39-15-111(p)(i)(A), transfer eleven million
22 dollars (\$11,000,000.00) from the Wyoming tourism account to the
23 general fund.

24
25 (e) Upon an expansion of Medicaid eligibility under this
26 section, and from that date until June 30, 2026, there is
27 appropriated from the general fund to the department of health
28 twenty-two million dollars (\$22,000,000.00). This appropriation
29 shall only be expended for the purpose of meeting the state's
30 Medicaid matching obligations incurred as a result of the
31 expansion of Medicaid eligibility under this section. Each
32 quarter after receiving funds under this appropriation, the
33 department of health shall report to the joint appropriations
34 committee on the receipt of any federal funds or incentives that
35 could be used to offset any expenditure of the funds
36 appropriated in this subsection, including the receipt of
37 incentives under the American Rescue Plan Act of 2021, P.L. 117-
38 2.

39
40 (f) Upon an expansion of Medicaid eligibility under this
41 section, and from that date until June 30, 2026, there is
42 appropriated one hundred seventy-seven million dollars
43 (\$177,000,000.00) in federal funds to the department of health
44 for the purpose of the expansion of Medicaid eligibility under
45 this section."

- 1 To the extent required by this amendment: adjust totals; and
- 2 renumber as necessary. CASE