

ENROLLED ACT NO. 84, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2011 GENERAL SESSION

AN ACT relating to the healthy frontiers health care reform demonstration project; amending the membership of the benefit design committee; providing for education of enrollees concerning the project; amending enrollment eligibility as specified; providing for surrender of personal health accounts as specified; amending reporting requirements; providing appropriations; authorizing receipt of other funds as specified; and providing for an effective date.

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

**Section 1.** W.S. 26-43-203(a), (b)(iv) and (g) by creating a new paragraph (vii), 26-43-204(b)(i) and (ii) and by creating a new subsection (f), 26-43-205(a)(ii) and 26-43-206(a), (g) and by creating a new subsection (h) are amended to read:

**26-43-203. Benefit design and operations.**

(a) There is created a benefit design committee of at least three (3) and no more than ~~seven (7)~~ nine persons appointed by the governor. Members of the committee other than state employees shall receive per diem and mileage allowance as allowed to state employees, when actually engaged in committee activities. Members of the committee may be removed as provided in W.S. 9-1-202(a).

(b) The benefit design committee shall create and modify as necessary the schedule of health care benefits and other related services available to participants under this article. The benefit design shall include the following elements:

ORIGINAL SENATE  
FILE NO. 0139

ENROLLED ACT NO. 84, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2011 GENERAL SESSION

(iv) ~~An insurance~~A health plan, the coverage package of which qualifies as creditable coverage under the federal Health Insurance Portability and Accountability Act, 42 U.S.C. 1320d et seq., or subsequent similar federal enactment, or a similar qualification specified in the benefit design if the federal provision is repealed. The ~~insurance~~health plan shall provide for premium cost sharing between the participant and the state based on income as determined in the benefit design committee. The participant may pay premiums directly from the participant's personal health account. Deductibles and copayments may be paid from the personal health account at the discretion of the participant. For health care services not included in the prevention package, a system of copayments shall be required and shall be lower for primary care and higher for specialty care. The benefit design committee in devising the sliding scale shall seek to create an incentive to join the project and leave Medicaid or other government programs. The benefit design shall seek to create an incentive to obtain a job that includes eligibility for employer provided health coverage. The ~~insurance~~health plan shall be limited in coverage and designed to work in conjunction with the design provisions identified in this section. The ~~insurance~~health plan may be provided directly by the project, may be purchased from the private sector or may be provided through the pool which is hereby authorized to provide this plan;

(g) The plan of operation for the demonstration project shall:

(vii) Identify organizations which will be responsible for educating new enrollees on the mechanics and procedure of receiving coverage from the healthy frontiers project, especially with regard to the personal health account. The organization may vary depending on the

ORIGINAL SENATE  
FILE NO. 0139

ENROLLED ACT NO. 84, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2011 GENERAL SESSION

nature of the enrollee. The plan shall also provide for appropriate response to participants having questions about the project or who appear to be misunderstanding the project.

**26-43-204. Eligibility.**

(b) Priority in enrollment of participants shall be given to the following:

(i) Individuals who have completed a vocational readiness or work preparation program through the department of workforce services, any other Wyoming state agency, any private organization providing similar training or a Wyoming community college;

(ii) Individuals who have been participants in the Medicaid program or other state assistance program and who have become ineligible for that program due to increased earnings or whose income is less than or equal to one hundred fifty percent (150%) one hundred thirty-eight percent (138%) of the federal poverty level;

(f) The benefit design and plan of operations may provide that individuals who leave the healthy frontiers program within a time not to exceed one hundred twenty (120) days of enrollment shall surrender the balance of their personal health account. Amounts surrendered pursuant to this subsection shall revert to the program.

**26-43-205. Structure and enrollment limits.**

(a) The project shall be structured as follows:

(ii) After ~~October~~ September 1, 2011 and approval by the board and the governor of a revised benefit

ORIGINAL SENATE  
FILE NO. 0139

ENROLLED ACT NO. 84, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2011 GENERAL SESSION

plan and plan of operations based on experience with the initial enrollment, the project may enroll an additional two thousand five hundred (2,500) persons counting both the participants and their enrolled family members and such additional participants to maintain stable project enrollment of three thousand (3,000) persons until July 1, 2014. The board in accepting participants for the project shall seek to have at least five hundred (500) participants who use the federally designated community health centers for their primary care and at least five hundred (500) participants who use primary health care providers in private practice for their primary care. The board shall seek to have enrollees representing sufficient communities within the state to demonstrate the statewide feasibility of the project.

**26-43-206. Evaluation.**

(a) The department of health shall have the primary responsibility for the evaluation of the demonstration project and shall report its evaluation publicly to the governor, and the joint labor, health and social services interim committee ~~and the joint corporations, elections and political subdivisions interim committee~~ annually beginning October 1, 2010. The board shall also provide the governor, and the joint labor, health and social services interim committee ~~and the joint corporations, elections and political subdivisions interim committee~~ with its evaluation as appropriate.

(g) The department of health shall provide to the joint labor, health and social services interim committee, ~~the joint corporations, elections and political subdivisions interim committee~~ and the governor an interim evaluation report by ~~October 1,~~ November 15, 2012 and a final evaluation report by December 31, 2014. To improve

ORIGINAL SENATE  
FILE NO. 0139

ENROLLED ACT NO. 84, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2011 GENERAL SESSION

the statistical validity of the report, no new enrollment in the project shall be permitted after July 1, 2014. The report shall include any recommendations on whether the demonstration project should be discontinued, expanded to a larger population, expanded to obtain more statistically valid results or continued for a longer time with a stable enrollment to obtain more valid results. Unless the report recommends abandonment of the project, it shall include any recommendations on program alterations needed to achieve the objectives of the demonstration project as expressed in the evaluation criteria of subsection (b) of this section.

(h) The department of health, to the maximum extent possible, shall include in the interim report required by subsection (g) of this section information necessary for the legislature to decide during its 2013 general session whether the state should apply for a Medicaid waiver effective January 1, 2014 or later based on the healthy frontiers pilot project benefit design and covering all or some of the population scheduled to become Medicaid eligible on January 1, 2014.

**Section 2.** 2010 Wyoming Session Laws, Chapter 96, Section 3(b) is amended to read:

**Section 3.**

(b) There is appropriated seven hundred fifty thousand dollars (\$750,000.00) from the tobacco settlement trust income account to the insurance department. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, ~~2011~~2012. This appropriation shall only be expended for the purpose of contracting with the board of directors of the Wyoming health insurance pool to

ORIGINAL SENATE  
FILE NO. 0139

ENROLLED ACT NO. 84, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2011 GENERAL SESSION

implement the health care reform demonstration project. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2012. This appropriation shall not be included in the department's 2013-2014 standard biennial budget request.

**Section 3.**

(a) There is appropriated one million five hundred thousand dollars (\$1,500,000.00) from the general fund to the insurance department. This appropriation shall be for the period beginning with the effective date of this act and ending December 31, 2015. This appropriation shall only be expended for the purposes of establishing a reserve account to pay claims in excess of amounts available in the appropriation in subsection (b) of this section if such claims are approved by the board and the governor approves use of funds in the reserve account. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on January 1, 2016. This appropriation shall not be included in the department's 2013-2014 or 2015-2016 standard biennial budget request.

(b) There is appropriated one million dollars (\$1,000,000.00) from the general fund to the insurance department. This appropriation shall be for the period beginning with the effective date of this act and ending June 30, 2012. This appropriation shall only be expended for the purpose of contracting with the board of directors

ORIGINAL SENATE  
FILE NO. 0139

ENROLLED ACT NO. 84, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2011 GENERAL SESSION

of the Wyoming health insurance pool to implement the health care reform demonstration project. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on July 1, 2012. This appropriation shall not be included in the department's 2013-2014 standard budget request.

(c) The project may, with the consent of the governor, accept federal funds or private funds for the purposes of the healthy frontiers program provided the conditions on receipt of the federal funds or private funds are not inconsistent with the healthy frontiers program, do not impair the integrity of the pilot project under this act and do not create any obligations, other than reporting obligations, in addition to those created by this act. Any funds received pursuant to this subsection, from reinsurance purchased by the project, from premiums and from surrenders of personal health accounts are continuously appropriated to the department of insurance for the purposes of the healthy frontiers pilot project.

ORIGINAL SENATE  
FILE NO. 0139

ENROLLED ACT NO. 84, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING  
2011 GENERAL SESSION

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

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the Senate.

\_\_\_\_\_  
Chief Clerk