

SENATE FILE NO. SF0150

Health care innovation.

Sponsored by: Senator(s) Dockstader, Bebout, Driskill,
Perkins and Scott and Representative(s)
Barlow, Harshman and Wilson

A BILL

for

1 AN ACT relating to the department of health; authorizing the
2 department of health to carry out health care innovation
3 studies; creating an account; providing a waiver from
4 procurement requirements; authorizing the department of
5 health to waive existing rules as necessary to conduct
6 innovative studies; authorizing the adoption of rules;
7 clarifying a definition; making an appropriation; and
8 providing for an effective date.

9

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

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12 **Section 1.** W.S. 9-2-128 and 9-2-129 are created to
13 read:

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15 **9-2-128. Health care innovation; studies; account.**

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2 (a) The department is authorized to carry out
3 innovative studies relating to the following:

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5 (i) Reduction of costs associated with long-term
6 care, chronic disease or other health care services to the
7 state of Wyoming;

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9 (ii) Allowing individuals in need of long-term
10 care to remain in their homes and communities;

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12 (iii) Developing necessary long-term care or other
13 health care services in Wyoming;

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15 (iv) Use of broadband internet to access health
16 care services.

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18 (b) There is created the health care innovation
19 account. Funds in the account may include any applicable
20 federal funds and shall be used to carry out innovative
21 studies under this section, subject to legislative
22 appropriation.

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1 (c) Not later than August 31 of each year, the
2 department shall provide a report to the joint labor, health
3 and social services interim committee and the joint
4 appropriations committee relating to funding and studies
5 carried out under this section.

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7 (d) The department may enter into agreements to carry
8 out this section. Except as otherwise provided in this
9 section, agreements under this section shall be exempt from
10 the procurement requirements set forth in W.S. 9-2-1016 and
11 other state laws and rules governing the procurement of
12 services by a state agency. The department shall obtain
13 approval of all agreements from the attorney general.

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15 (e) A person undertaking an innovative study under this
16 section shall make available to the department all documents
17 relating to the study for review upon request. Documents under
18 this section containing any personally identifiable
19 information or any trade secret shall not be subject to the
20 Wyoming Public Records Act.

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1 (f) The department may adopt rules to implement this
2 section, including specifying a method of application for
3 funding and standards for program operation.

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5 (g) As used in this section:

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7 (i) "Innovative study" means a randomized,
8 controlled trial, pilot project, model or analysis conducted
9 under scientific conditions for:

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11 (A) Assessing a new approach to the provision
12 of long-term care, care of chronic diseases early detection
13 or other health care services which have no substantially
14 comparable, widely available analogue in Wyoming;

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16 (B) Testing of noninvasive diagnostic
17 equipment. As used in this paragraph, "noninvasive" means
18 equipment that does not cause mental or physical effects on
19 the human body.

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21 (ii) "Innovative study" shall not include the
22 testing of pharmaceuticals, medical procedures or medical
23 devices other than noninvasive diagnostic equipment.

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2 **9-2-129. Waiver of rules.**

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4 (a) The department may waive existing rules as
5 necessary to carry out an innovative study under W.S. 9-2-128.

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7 (b) The department shall adopt rules specifying
8 standards for a waiver under this section.

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10 **Section 2.** W.S. 9-2-101(b)(intro) is amended to read:

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12 **9-2-101. Creation; definitions; divisions.**

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14 (b) As used in ~~W.S. 9-2-101 through 9-2-108~~ this
15 article:

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17 **Section 3.** There is appropriated one million dollars
18 (\$1,000,000.00) from the general fund to the health care
19 innovation account created by W.S. 9-2-128 under section 1 of
20 this act. Notwithstanding any other provision of law, this
21 appropriation shall not be transferred or expended for any
22 other purpose and any unexpended, unobligated funds remaining
23 from this appropriation shall revert as provided by law on

1 June 30, 2022. The department of health may include an
2 exception budget request for an appropriation to the health
3 care innovation account for the 2021-2022 biennium.

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5 **Section 4.** The report requirement in W.S. 9-2-128(c)
6 shall not apply in the year 2019.

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

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12

(END)