

LEGISLATIVE REPORT

2014 BUDGET SESSION

The 2014 Budget Session of the Wyoming Legislature ended on March 6, 2014, a day earlier than expected. In his message to both houses, Governor Mead applauded the lawmakers for their dedication and diligence in a host of different areas.

One of the more hotly debated issues in the budget was the footnote that provides the governor the option of applying for a Medicaid waiver from the federal government so Wyoming can design its own plan during the next year to cover an estimated 17,600 uninsured adults to the Medicaid program. The footnote was the product of a number of failed efforts to expand the Medicaid program to include this group of uninsured residents. While he has consistently opposed Medicaid expansion, Governor Mead agreed to the footnote allowing the Wyoming Department of Health to pursue talks with the Centers for Medicaid and Medicare Services to develop a Wyoming plan.

Although we were disappointed that the governor and the legislature did not approve any of the many specific pieces of legislation designed to accept the federal funds, we were pleased that they at least left the door open. When stepping back to assess our progress on this topic from a year ago, we have definitely made some strides in convincing some of the legislators to see our point of view. When looking back on the creation of the Medicaid program from a historical point of view, not all of the states quickly accepted the program designed to benefit low-income individuals. And as the ranks of states that have not taken the federal money keeps diminishing, we remain optimistic that we will be able to get a Medicaid expansion program approved by the Legislature in the not too distant future.

With the pending demise of the eHealth Partnership, we were successful in getting half a million dollars in a budget footnote to help the five remaining hospitals in their quest to achieve federal meaningful use status. The Partnership ended up closing their doors in late spring due to a host of circumstances, including not being able to identify a sustainable funding source to keep the doors open. We are not sitting alone with this problem, as other health information exchange efforts across the country are facing the same challenges.

Two separate measures were attempted to address the growing trend of physician-owned hospitals in the U.S. and beginning to surface in Wyoming. The first one would have required all hospitals in the state to accept Medicare and Medicaid, while the other one sought a moratorium of such facilities. While both of these efforts failed, the Wyoming Department of Health was given the task of studying the impact of these hospitals in our state.

A fairly comprehensive bill addressing a number of changes to the state's involuntary hospital detention process ended up in smoke on the Senate floor. After receiving the endorsement of the Joint Judiciary Interim Committee and the Senate standing committee, the bill failed on third reading in the Senate. Since this topic wasn't assigned to any interim committees, we anticipate efforts to revive a similar bill to take place in the interim period from individual legislators.

With the exception of the failure of Medicaid expansion, we were generally pleased with the outcome of this session and look forward to work in the interim on a host of healthcare related bills.

Nurse For The Day Program

THANKS TO OUR NURSE FOR THE DAY VOLUNTEERS

The Legislative Session occurs at the height of the cold and flu season, and legislators, staffers, and visitors are therefore quite thankful of the WHA's Nurse For The Day Program. Since 1980, volunteers have provided high-quality nursing care in the capitol building. The WHA is proud that our nurses are introduced on the floor of the Senate each day, and we appreciate the contribution of their time and skills during the session.

We would like to thank the nurses and their employers for their participation in the program:

Cindy Woods, RN, Platte County Memorial Hospital

Connie Jacobson, RN, BSN, MHA, Coroner, Natrona County

Kathi Parks, RN, South Lincoln Medical Center

Victoria Pike, RN, Wyoming State Board of Nursing

Paula Smith, RN, Wyoming State Board of Nursing

Cynthia LaBonde, RN, Wyoming State Board of Nursing

Wendy Miller, RN, Riverton

INTERIM COMMITTEE TOPICS

Priority #: 1 Health Care Reform

Health care reform will continue to be a complex and moving target and several recent committee initiatives will require follow-up attention. The Committee will investigate and monitor:

- Why Wyoming medical costs are higher than other states
- Medicaid 1115 waiver expansion negotiations
- Federal impacts and possible state responses from other parts of the Affordable Care Act, including health insurance exchanges
- Medicaid reform effort
- The Wyoming Health Insurance Pool -- extension of sunset and possible use as a qualified health plan under the ACA
- The health information exchange effort.

Priority #: 2 Health Care Provider Access

Wyoming has a shortage of health care providers. The Committee will study issues related to improving provider access, including:

- Extension of the Wyoming Investment in Nursing loan and grant program;
- Review of the status and effectiveness of University of Wyoming health education programs
- Licensure of allied and alternative health care professions, acupuncture licensure and the possible consolidation of smaller licensing boards

Priority #: 3 Mental Health and Prevention Management

The Committee will study access and quality of care issues in the state's mental health system, including overall access to substance abuse/mental health care, suicide prevention and the prevention management organization, and employee drug testing at the state institutions.

Priority #: 4 Review of Reports

The Committee currently receives 30+ periodic reports from the departments of Health, Workforce Services and Family Services. The Committee will respond as necessary to issues raised by the reports. The Committee will study the continued need for each of the reports and the possible elimination or consolidation of some reports as no longer necessary.

Priority #: 5 Workers' Compensation

The Committee will study and investigate changes to the workers' compensation experience rating system and implementation of the workplace safety grant program

INTERIM COMMITTEE SCHEDULE

The Joint Labor, Health and Social Services Committee will meet four times during the interim to study and discuss the topics outlined above. Following is the committee's tentative interim meeting schedule:

May 19-20
Casper

September 4-5
Lovell

October 16-17
Evanston

December 15-16
Cheyenne

SUCCESSFUL LEGISLATION

Bill No.	Title & Summary	Sponsor	Notes
HB0047	GOVERNMENT ROYALTY REVENUES - DEFINITION An act relating to government royalty revenues; providing a definition; and providing for an effective date.	Reps. Berger, Burkhart, Harvey, Kirkbride, Patton Sens. J.D. Anderson, Burns, Schiffer	HEA0037
HB0083	INSURANCE COVERAGE OF INHERITED ENZYMATIC DISORDERS An act relating to health insurance; providing for a premium tax credit for the costs of coverage under the inherited enzymatic disorder coverage requirement; providing authority to the insurance commissioner; and providing for an effective date.	Joint LHSS Committee	HEA0004
HB0086	RURAL HEALTH CARE DISTRICTS - AUTHORITY An act relating to special rural health care districts; specifying authority of rural health care districts to employ of contract with licensed health care providers and other persons; and providing for an effective date.	Rep. Sommers, Barlow, Halverson, Lubnau, Madden, Paxton Sens. Cooper and Hicks	HEA0058
HB0169	MEDICAID WAIVER PROGRAMS - CASE MANAGEMENT SYSTEM An act relating to Medicaid waiver programs; repealing provision requiring case management system that is free of conflicts of interest; and providing for an effective date.	Reps. Davison, Baker, Barlow, Blevins, Gingery, Halverson, Hutchings, Jaggi, Piiparinen Sens. Barnard, Cooper, F. Esquibel, Nutting, Peterson	HEA0058
SF0034	INVOLUNTARY HOSPITALIZATION - EMERGENCY HEARINGS An Act relating to involuntary hospitalization; clarifying provisions relating to representation of the state in emergency detention hearings; and providing for an effective date.	Joint Judiciary Committee	SEA0019
SF0050	STATE MINER'S HEALTH COVERAGE An act relating to the state miner's hospital board and account; modifying board membership requirements; modifying benefit eligibility requirements; specifying that benefits from the miner's hospital account shall be paid only after other available benefits for covered for covered conditions; modifying and providing definitions; repealing obsolete provision; and providing for an effective date.	Joint Appropriations Committee	SEA0006

SF0064	PUBLIC HEALTH NURSING An act relating to public health; providing for the division of responsibilities and financial obligations between the state and local governments; providing options for the management of public health nursing responsibilities at the county and other local levels; giving options to county commissioners to choose how to work with the state in organizing public health nursing and related public health functions; providing for a task force; providing for reports; providing a sunset date; providing an appropriation; and providing for an effective date.	Joint LHSS Committee	SEA0058
SF0089	HEALTH PROFESSIONALS - MEDICAID BILLING An act relating to Medicaid; providing that mental health services provided by specified licensed professionals are authorized under the act; and providing for an effective date.	Sens. Landen and Craft Reps. Barlow, Burkhart, and Harvey	SEA0049

UNSUCCESSFUL LEGISLATION

Bill No.	Title & Summary	Sponsor
HB0041	<p>EMERGENCY MEDICAL TECHNICIAN PENSION PLAN An act relating to the emergency medical technician pension plan; providing for funding of plan from fire insurance premium taxes; amending obsolete and inconsistent language; and providing for an effective date.</p>	Joint Appropriations Committee
HB0055	<p>FUNDING FOR SUBSTANCE ABUSE An act relating to alcohol; specifying that certain funds generated from alcohol shall be used for long-term substance abuse programs as specified; and providing for an effective date.</p>	Rep. Loucks
HB0079	<p>CRITICAL ACCESS HOSPITAL ENDOWMENT CHALLENGE PROGRAM An act relating to public health; extending the critical access/rural hospital endowment challenge program as specified; amending qualifications for receipt of funds; modifying reversion dates; making conforming amendments; and providing for an effective date.</p>	Rep. Hunt
HB0080	<p>MEDICAID WAIVER - TRIBAL HEALTH PROGRAMS An act relating to Medicaid; authorizing the department of health to investigate a demonstration waiver providing Medicaid coverage for persons of American Indian descent as specified; and providing for an effective date.</p>	Select Committee on Tribal Relations
HB0084	<p>MEDICAID EXPANSION - LIMITED BENEFITS An Act relating to Medicaid; creating the Medicaid Fit program; authorizing expansion of the Medicaid program with limited benefits as specified; providing eligibility criteria for Medicaid clients as specified; providing an appropriation; and providing for an effective date</p>	Joint LHSS Committee
HB0118	<p>STATE MINER'S HOSPITAL LEGISLATIVE OVERSIGHT COMMITTEE An act relating to state miner's hospital; recreating the state miner's hospital legislative oversight committee; repealing statutes authorizing a previously terminated oversight committee; providing an appropriation; and providing for an effective date.</p>	Reps. Baker, Barlow, Davison, Kasperik
HB0130	<p>CIGARETTE TAXES An act relating to tobacco taxes; increasing taxes on cigarettes; providing for distribution of increased taxes as specified; and providing for an effective date.</p>	Reps. Davison, Gay, Harvey, Jaggi, McKim, Piiparinen Sens. Cooper, Dockstader
HB0143	<p>HEALTH INFORMATION STUDY An act relating to public health; creating a joint legislative and executive task force to study the creation of an integrated health information system as specified; providing appropriations; and providing for an effective date.</p>	Reps. Barlow, Harvey, Lubnau Sens. Rothfuss, Schiffer

HB0159	WORKPLACE SAFETY GRANT PROGRAM An act relating to the department of workforce services; amending requirements for participation in the workplace safety contract program as specified; amending a reporting requirement; and providing for an effective date.	Reps. Throne, Burkhart, Filer Sen. Hastert
HB0161	MEDICAID EXPANSION - 2 An act relating to Medicaid; providing for expansion of coverage to low income persons as specified; authorizing negotiation for a Medicaid demonstrations waiver; providing waiver requirements as specified; providing an appropriation; and providing for an effective date.	Rep. Barlow
HB0166	FEDERAL HEALTH CARE REFORM - PROHIBITION An act relating to health care; providing findings; prohibiting the state of Wyoming from enforcing unconstitutional provisions of federal health care law; prohibiting participation in health care insurance marketplaces as specified; prohibiting the enforcement of health insurance contracts as specified; granting rights and powers to the attorney general as specified; prohibiting involuntary visitations under federal law as specified; and providing for an effective date.	Reps. Baker, Jaggi, Kroeker, Reeder Sen. Meier
SF0040	INVOLUNTARY HOSPITALIZATION & TREATMENT An Act relating to hospitalization and treatment of mentally ill persons; modifying procedures for involuntary hospitalization; providing for involuntary outpatient treatment; providing for and modifying definitions; amending provisions relating to representation by the state and county; amending provisions relating to payment by the county and by the state; repealing provisions; and providing for an effective date.	Joint Judiciary Committee
SF0050	STATE MINER'S HEALTH COVERAGE An act relating to the state miner's hospital board and account; modifying board membership requirements; modifying benefit eligibility requirements; specifying that benefits from the miner's hospital account shall be paid only after other available benefits for covered for covered conditions; modifying and providing definitions; repealing obsolete provision; and providing for an effective date.	Joint Appropriations Committee
SF0064	PUBLIC HEALTH NURSING An act relating to public health; providing for the division of responsibilities and financial obligations between the state and local governments; providing options for the management of public health nursing responsibilities at the county and other local levels; giving options to county commissioners to choose how to work with the state in organizing public health nursing and related public health functions; providing for a task force; providing for reports; providing a sunset date; providing an appropriation; and providing for an effective date.	Joint LHSS Committee
SF0065	SUBSTANCE ABUSE GRANT PROGRAM An act relating to the department of health; establishing the substance abuse grant program to be administered by the department of health; providing rulemaking authority; providing an appropriation; and providing for an effective date.	Sen. Peterson Rep. Goggles

<p>SF0088</p>	<p>MEDICAID EXPANSION - INSURANCE POOL An act relating to Medicaid; creating the Healthcare Independence Act of 2014; authorizing a private insurance option within the Medicaid program; authorizing payment or subsidy of health insurance premiums for Medicaid clients as specified; declaring legislative intent; providing definitions; providing eligibility criteria for clients and insurers; for a continuous appropriation; providing a sunset date; and providing for an effective date.</p>	<p>Joint LHSS Committee</p>
<p>SF0090</p>	<p>HOSPITAL LICENSING An Act relating to hospital licensing; requiring licensed hospitals to treat Medicare and Medicaid patients as specified; providing for nonrenewal of licenses; providing for applicability and grace periods; and providing for an effective date.</p>	<p>Sens. Scott and Craft Reps. Freeman and Harvey</p>
<p>SF0105</p>	<p>HOSPITAL LICENSING - MORATORIUM An act relating to hospital licensing; providing for a temporary moratorium on new hospital licensing; providing for a study, report, and recommendations; providing for review of the moratorium and hospital access by an interim committee as specified; providing for a sunset date on the moratorium; and providing for an effective date.</p>	<p>Sens. Craft and Scott Reps. Davison, Filer, and Wilson</p>
<p>SF0108</p>	<p>OBAMACARE RELIEF An act relating to healthcare coverage; protecting the public health from lack of healthcare coverage as specified; providing relief for people deprived of affordable healthcare coverage by the federal law and regulations known as "Obamacare" or as "The Affordable Care Act"; providing for the necessary healthcare support of the poor as specified; providing as specified health coverage for people who cannot otherwise obtain it on an affordable basis; creating the Obamacare temporary relief program and expanding the coverage options under the Wyoming Health Insurance Pool Act; creating the Wyoming temporary medical welfare program; creating the Wyoming small business healthcare relief program and modifying the definition of small business for insurance purposes; modifying the sunset dates for the Wyoming health insurance pool and programs within the pool; providing a sunset date for this act; providing enrollees must be given written notice that the coverage offered, while legal, does not comply with the federal law applying to insurance coverage; redirecting existing appropriations and revenue flows; amending a prior appropriation; providing appropriations; and providing for an effective date.</p>	<p>Sens. Scott, J.L. Anderson, and Craft Rep. Barlow</p>
<p>SF0114</p>	<p>HOSPITALIZATION OF MENTALLY ILL PERSONS An act relating to hospitalization of mentally ill patients; providing for convalescent status of formerly hospitalized patients; requiring the state hospital to maintain capacity to treat persons detained for mental illness on an emergency or involuntary basis; requiring a preliminary examination be done by a different examiner than the one who initiated the detention; requiring action within seventy-two hours of the preliminary examination; providing for notification and action by county attorneys; and providing for an effective date.</p>	<p>Sen. Dockstader Rep. Barlow</p>

<p>SF0118</p>	<p>MEDICAID - STAGED EXPANSION An act relating to Medicaid; providing for expansion of coverage to low income persons as specified; authorizing a Medicaid demonstration waiver; providing waiver requirements as specified; creating the healthcare reserve account; providing for transfer of appropriated funds as specified; and providing for an effective date.</p>	<p>Sens. Rothfuss, Craft, Emerich, F. Esquibel, Hastert, Johnson, Schiffer, Von Flatern Reps. Barlow, Byrd, Connolly, Filer, Greene, Petroff, Throne, Dan Zwonitzer</p>
<p>SF0120</p>	<p>CORRECTIONAL HEALTHCARE COSTS An act relating to medical assistance and services; providing for the implementation of a clinical code editing system and an audit and recovery service for correctional healthcare services; providing for contracts for the provision of services; and providing for an effective date.</p>	<p>Sens. Hastert, Craft, and Von Flatern Reps. Barlow, Coleman, Connolly, Filer, Harvey, Throne, Dan Zwonitzer</p>