

Sponsored By: Representative(s) Barlow, Nicholas, Pelkey and Stith
and Senator(s) Baldwin, Rothfuss and Scott

AN ACT relating to Medicaid; making legislative findings; providing for air ambulance transport coverage under Medicaid as specified; requiring a copay; creating an account; imposing a premium assessment on certain insurers for the purposes of this act; requiring reimbursements from state agencies for air ambulance transport services; authorizing the submission of federal Medicaid state plan amendments and other necessary waivers and agreements; classifying air ambulance subscription plans as disability insurance; making conforming amendments; requiring reports and certain other actions; requiring the promulgation of rules; specifying applicability; providing sunset dates; and providing for effective dates.

1/17/2019 Bill Number Assigned
1/17/2019 H Received for Introduction
1/17/2019 H Introduced and Referred to H10 - Labor
1/31/2019 H10 - Labor:Recommend Do Pass 7-2-0-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Dayton-Selman, Hallinan, Roscoe, Styvar, Wilson, Yin

Nays: Representative(s) Clem, Sweeney

Ayes 7 Nays 2 Excused 0 Absent 0 Conflicts 0

1/31/2019 H Placed on General File
1/31/2019 Rerefer to H02 - Appropriations
2/1/2019 H02 - Appropriations:Recommend Do Pass 6-1-0-0-0

ROLL CALL

Ayes: Representative(s) Kinner, Larsen, Nicholas, Schwartz, Sommers, Walters

Nays: Representative Olsen

Ayes 6 Nays 1 Excused 0 Absent 0 Conflicts 0

2/1/2019 H Placed on General File
2/4/2019 H COW:Passed

HB0194H2001/ADOPTED

Page 7-line 2 Delete "twenty percent" and insert "fifty percent".
Page 7-line 3 Delete "(20%)" and insert "(50%)".
Page 10-line 11 After "section." insert "The department may, if appropriate, establish a managed care program under this section.".

Page 11-lines 2 through 5 Delete entirely and insert:
"(i) Payment rates, which shall be set as a percentage multiplier of current Medicare air ambulance transport service rates applicable to rural Wyoming, and which shall balance the following priorities:
(A) The financial risk to Wyoming residents, including potential cost sharing requirements;
(B) Adequate air ambulance service provider participation and access to services;
(C) Quality of services;
(D) Availability of program funding; and
(E) Unnecessary utilization and cost growth in the industry.".

Page 12-line 20 After "27-14-401" insert "(e) and".

Page 14-after line 19 Insert:

"(e) If transportation by ambulance is necessary, the division shall allow a reasonable charge for the ambulance service at a rate not in excess of the rate schedule established by the director under the procedure set forth for payment of medical and hospital care, provided this subsection shall not apply to air ambulance transport services.".

Page 17-after line 2 Insert:

"(c) As soon as possible after the effective date of this act, the director of the department of health shall convene an unpaid working group of stakeholders, which may include legislators, insurers, health care facilities, air ambulance providers and state agency representatives, to provide feedback to the department regarding the implementation of this act."

Page 17-line 5 Delete "October 1, 2019" and insert "March 1, 2020".

Page 17-line 9 Delete "and 5" and insert ", 5 and 7".

Page 17-line 15 Delete "October 1, 2019" and insert "March 1, 2020".

BARLOW

2/5/2019 H 2nd Reading:Passed

HB0194H3001/WITHDRAWN

2/6/2019 H 3rd Reading:Passed 42-17-1-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blake, Brown, Burlingame, Clausen, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Eklund, Flitner, Freeman, Furphy, Haley, Hallinan, Harshman, Henderson, Kinner, Kirkbride, Larsen, Lindholm, Loucks, Miller, Newsome, Nicholas, Obermueller, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Sweeney, Walters, Washut, Yin, Zwonitzer

Nays: Representative(s) Blackburn, Burkhart, Clem, Edwards, Eyre, Gray, Greear, Hunt, Jennings, Laursen, MacGuire, Olsen, Styvar, Tass, Western, Wilson, Winter

Excused: Representative Northrup

Ayes 42 **Nays** 17 **Excused** 1 **Absent** 0 **Conflicts** 0

2/8/2019 S Received for Introduction

2/11/2019 S Introduced and Referred to S10 - Labor

2/15/2019 S10 - Labor:Recommend Amend and Do Pass 4-1-0-0-0

ROLL CALL

Ayes: Senator(s) Baldwin, Bouchard, Schuler, Scott

Nays: Senator Pappas

Ayes 4 **Nays** 1 **Excused** 0 **Absent** 0 **Conflicts** 0

2/15/2019 S Placed on General File

HB0194SS001/ADOPTED

(TO ENGROSSED COPY)

Page 1-line 8 After "agreements;" insert "classifying air ambulance subscription plans as disability insurance;".

Page 13-line 11 After "(n)," insert "26-5-103(a)(ii),".

Page 15-after line 4 Insert:

"26-5-103. "Disability insurance" defined.

(a) Disability insurance is insurance of any kind on human beings against:

(ii) Disablement or expense resulting from sickness, including subscription or membership plans relating to air ambulance transport services.".
Page 18-line 11 Delete "March 1, 2020" and insert "April 1, 2020".
Page 18-line 21 Delete "March 1, 2020" and insert "April 1, 2020".
SCOTT, CHAIRMAN

2/20/2019 S COW:Passed
2/21/2019 S 2nd Reading:Passed
2/22/2019 S 3rd Reading:Laid Back

HB0194S3001/FAILED (TO ENGROSSED COPY)

Delete the Senate standing committee amendment (HB0194SS001/AE) entirely and further amend as follows:

Page 1-line 1 Delete "making legislative findings" and insert "creating a working group as specified".

Page 1-lines 2 through 8 Delete entirely.

Page 1-line 9 Delete "amendments;".

Page 1-line 10 Delete entirely.

Page 1-line 11 Delete "applicability;".

Pages 2 through 18 Delete entirely and insert:

"(a) There is created the Medicaid air ambulance service working group consisting of members of the department of health, the department of insurance and the department of workforce services. The group shall also include air ambulance service providers, insurance companies, employers and legislators.

(b) The working group shall be staffed by the department of health. All state agencies shall provide information and assistance upon request of the working group.

(c) The working group shall identify, study and make recommendations concerning the possibility of expanding the Medicaid program to cover air ambulance services provided in Wyoming including:

(i) An assessment of whether any regulatory plan imposed as a result expanding the Medicaid program to cover air ambulance services will reduce the availability or quality of such services being provided in Wyoming;

(ii) An assessment of any attempts made by insurance companies to establish service rates with air ambulance service providers and whether insurance companies routinely deny air ambulance service claims submitted for services rendered;

(iii) An analysis of the costs and benefits of an expansion;

(iv) Any necessary federal waiver, state plan amendment or other agreement, which must be approved by the United States department of health and human services, to make Medicaid coverage of air ambulance services available to all Wyoming residents;

(v) Identification of the most practical and effective structure of Medicaid coverage that would provide benefits for air ambulance services at the lowest and most reasonable cost;

(vi) The possibility of making Medicaid coverage for air ambulance services retroactive;

(vii) Identification of any program administered by the state of Wyoming, including the state employees and officials group insurance and Wyoming workers' compensation, that provides or otherwise covers air ambulance services and identification of strategies or approaches for transitioning to possible Medicaid coverage;

(viii) Analysis of probable payment rates including possible financial risk to Wyoming residents and potential cost sharing requirements;

(ix) Identification of any statutory changes necessary for expanding the Medicaid program to cover air ambulance services as specified by this act;

(x) Identification of any funding changes or appropriations necessary for expanding the Medicaid program to cover air ambulance services as specified by this act.

(xi) Other issues the working group determines relevant or prudent to consider.

(d) The working group shall report its findings and recommendations to the joint labor, health and social services interim committee not later than August 1, 2019. The committee shall consider the recommendations and may develop and sponsor any legislation it deems appropriate for consideration by the legislature.

Section 2. 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.". KINSKEY, AGAR, KOST

HB0194S3002/ADOPTED (TO ENGROSSED COPY)

Page 1-line 11 After "applicability;" insert "providing sunset dates;".

Page 4-line 12 After "**reimbursement**" insert "; **sunset**".

Page 4-after line 22 Insert:

"(c) This section is repealed effective July 1, 2023."

Page 5-line 2 After "**residents**" insert "; **sunset**".

Page 13-after line 7 Insert:

"(r) This section is repealed effective July 1, 2023." BOUCHARD

2/25/2019 S 3rd Reading:Passed 19-9-1-0-1

ROLL CALL

Ayes: Senator(s) Anselmi-Dalton, Baldwin, Bebout, Boner, Bouchard, Case, Dockstader, Driskill, Gierau, Hicks, Kost, Landen, Moniz, Perkins, Rothfuss, Schuler, Scott, Von Flatern, Wasserburger

Nays: Senator(s) Anderson, Biteman, Coe, Hutchings, James, Kinskey, Nethercott, Pappas, Steinmetz

Excused: Senator Agar

Conflicts: Senator Ellis

Ayes 19 **Nays** 9 **Excused** 1 **Absent** 0 **Conflicts** 1

2/26/2019 H Received for Concurrence

2/26/2019 H Concur:Passed 54-4-2-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Duncan, Eklund, Eyre, Flitner, Freeman, Furphy, Greear, Haley, Hallinan, Harshman, Henderson, Hunt, Kinner, Kirkbride, Lindholm, Loucks, MacGuire, Miller, Newsome, Nicholas, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Sommers, Stith, Styvar, Sweeney, Tass, Walters, Washut, Western, Wilson, Winter, Yin, Zwonitzer

Nays: Representative(s) Edwards, Gray, Jennings, Laursen

Excused: Representative(s) Larsen, Northrup

Ayes 54 **Nays** 4 **Excused** 2 **Absent** 0 **Conflicts** 0

2/26/2019 Assigned Number HEA No. 0112

2/26/2019 H Speaker Signed HEA No. 0112

2/27/2019 S President Signed HEA No. 0112

3/8/2019 Governor Signed HEA No. 0112

3/8/2019 Assigned Chapter Number 189

