

HOUSE BILL NO. HB0053

Public health emergency-definition amendments.

Sponsored by: Representative(s) Ward, Allemand, Angelos,
Bear, Haroldson, Jennings, Locke, Neiman,
Ottman, Pendergraft, Penn, Rodriguez-
Williams, Smith and Strock

A BILL

for

1 AN ACT relating to public health and safety; requiring the
2 governor to convene the legislature after declaring a
3 public health emergency exists as specified; authorizing
4 the legislature to satisfy quorum requirements and vote in-
5 person or remotely by an electronic method; amending the
6 definition of public health emergency as specified; making
7 conforming amendments; specifying applicability; and
8 providing for an effective date.

9

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

11

12 **Section 1.** W.S. 35-4-116 is created to read:

13

14 **35-4-116. Declaration public health emergency.**

1

2 The governor shall declare when a public health emergency
3 exists or has ended. After the governor declares a public
4 health emergency exists, the governor shall by proclamation
5 convene the legislature on the second day following the
6 date of the declaration for purposes of concurring with or
7 not concurring with the existence of a public health
8 emergency. The legislature by joint resolution may concur
9 that a public health emergency exists or shall have the
10 authority to terminate the public health emergency. The
11 legislature may satisfy quorum requirements and vote
12 in-person or remotely by an electronic video and audio
13 conference method.

14

15 **Section 2.** W.S. 1-1-141(a)(ii), 33-25-102(f)(vi),
16 33-49-107(c)(ii), 35-4-114(b) and (c) and 35-4-115(a)(i)
17 are amended to read:

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19 **1-1-141. COVID-19 exposure and illness; assumption of**
20 **the risk.**

21

22 (a) As used in this section:

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1 (ii) "COVID-19" means severe acute respiratory
2 syndrome coronavirus 2 (SARS-CoV-2) and any mutation or
3 viral fragments thereof or any disease or condition caused
4 by severe acute respiratory syndrome coronavirus 2
5 (SARS-CoV-2) that was the subject of the public health
6 emergency declared by the governor under W.S.
7 ~~35-4-115(a)(i)~~ 35-4-116 on March 13, 2020;

8
9 **33-25-102. Practice of physical therapy; license or**
10 **certificate required; exceptions; false representations.**

11
12 (f) The following persons are exempt from the
13 licensure and certification requirements of this act:

14
15 (vi) A physical therapist licensed in another
16 jurisdiction who enters this state to provide physical
17 therapy during a public health emergency as declared by the
18 governor pursuant to W.S. ~~35-4-115(a)(i)~~ 35-4-116. Any
19 physical therapist practicing pursuant to this paragraph
20 shall notify the board of the therapist's intent to
21 practice and supply additional information as provided by
22 rules of the board;

23

1 **33-49-107. Licensure required; components;**
2 **exemptions; other licensed health care professionals.**

3
4 (c) The following persons are exempt from this
5 chapter's licensure requirements:

6
7 (ii) An acupuncturist licensed in another
8 jurisdiction who enters this state to provide acupuncture
9 during a natural disaster or a public health emergency, as
10 declared by the governor pursuant to W.S. ~~35-4-115(a)(i)~~
11 35-4-116;

12
13 **35-4-114. Immunity from liability.**

14
15 (b) The licensing boards for any health care provider
16 holding a permit or license as a health care provider
17 regulated under title 33 of the Wyoming statutes shall
18 provide by rule and regulations for the temporary licensure
19 of health care providers during a public health emergency
20 as declared by the governor pursuant to W.S. ~~35-4-115(a)(i)~~
21 35-4-116. If necessary during a declared public health
22 emergency, the state health officer may issue temporary
23 practice licenses to health care providers who are retired,

1 who have an inactive license or who are licensed in another
2 state without a valid Wyoming license pending action on an
3 application for issuance of a temporary license by the
4 appropriate licensing board pursuant to this subsection.

5

6 (c) All temporary health care provider licenses
7 issued by the state health officer under subsection (b) of
8 this section shall terminate automatically upon declaration
9 by the governor, pursuant to W.S. ~~35-4-115(a)(i)~~ 35-4-116,
10 that the public health emergency has ended.

11

12 **35-4-115. Definitions.**

13

14 (a) As used in this article:

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16 (i) "Public health emergency" means an
17 occurrence or imminent threat of an illness or health
18 condition caused by an epidemic or pandemic disease, a
19 novel and highly fatal infectious agent or a biological
20 toxin that poses a substantial risk of a significant number
21 of human fatalities or incidents of permanent or long-term
22 disability~~;~~. ~~The governor shall declare when a public~~
23 ~~health emergency exists or has ended;~~

1

2 **Section 3.** This act shall apply to all declarations
3 of public health emergencies occurring on and after July 1,
4 2024.

5

6 **Section 4.** This act is effective July 1, 2024.

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(END)