

ENROLLED ACT NO. 42, SENATE

SIXTY-FIRST LEGISLATURE OF THE STATE OF WYOMING
2012 BUDGET SESSION

AN ACT relating to the administration of government; amending duties and composition of the Wyoming health insurance exchange steering committee as specified; requiring a report and specifying reporting requirements; limiting the state's authority to operate a federally required health insurance exchange as specified; reappropriating funds, providing an appropriation and clarifying authorized expenditures; and providing for an effective date.

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

Section 1. 2011 Wyoming Session Laws, Chapter 195, Section 1(c) by creating a new paragraph (ix), by renumbering (ix) as (x), (e)(ii), (f) and (g) is amended to read:

Section 1.

(c) There is created the Wyoming Health Insurance Exchange Steering Committee. The committee shall consist of:

(ix) One (1) member who is an enrolled member of the Arapahoe Indian tribe and one (1) member who is an enrolled member of the Shoshone Indian tribe, both residents on the Wind River Indian Reservation, appointed by the governor;

~~(x)-(ix)~~ At least five (5) members from affected state agencies and the governor's office appointed by the governor. The governor shall appoint two (2) co-chairmen for the steering committee.

(e) The study shall:

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(ii) If the recommendation is that the state should proceed with the development of ~~the~~ an exchange, provide a work plan for the development of ~~the~~ an exchange and identify any legislation needed to implement ~~the~~ an exchange during the ~~2012~~ 2013 legislative general and budget session. ~~or subsequent legislative sessions;~~ If the recommendation is that the state should proceed with the development of an exchange, at least three (3) options shall be presented for consideration by the joint labor, health and social services interim committee. One (1) option shall provide for an exchange based on Wyoming data without influence from the health care reform acts. A second option shall provide for an exchange based upon Wyoming data and compliance with those aspects of the health care reform acts that fit the needs of Wyoming as the steering committee recommends, identifying those aspects of the exchange which would meet compliance with those acts. A third option shall provide for complete compliance with the health care reform acts. All three (3) plans shall identify the known effects of compliance with those acts, including impacts on Wyoming citizens extending beyond the direct provision of health care and health care insurance. The steering committee shall apply the evaluations required by paragraphs (iii), (iv) and (vi) through (viii) of this subsection to each option. The steering committee may recommend a phase-in of an option as it determines appropriate;

(f) A preliminary study report shall be provided to the joint labor, health and social services interim committee by October 1, 2011. The Wyoming health insurance exchange steering committee shall further report to the joint labor, health and social services interim committee by June 1, 2012. The report on June 1,

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2012 may be a preliminary or final report of the steering committee. If a preliminary report, the joint labor, health and social services interim committee may provide comment on the preliminary report. If comment is provided, the steering committee shall address those comments in a final report to the interim committee not later than October 1, 2012.

(g) The legislative members of the committee shall receive salary and reimbursement for per diem and travel expenses incurred in the performance of their duties ~~on the committee as~~ under this act in the amounts provided in W.S. 28-5-101. ~~There is appropriated ten thousand dollars (\$10,000.00) from the general fund to the legislative service office for the salary, per diem and travel for the legislative members of the steering committee. Any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2012.~~ Legislative duties under this act include legislative members' attendance at steering committee meetings or other travel by those members as authorized by the steering committee cochairmen or management council of the legislature for activities associated with service on the steering committee.

Section 2. No state agency or any person representing the state of Wyoming shall, prior to April 1, 2013, commit the state of Wyoming to operating an American health benefits exchange as provided in the Patient Protection and Affordable Care Act, P.L. 111-148, nor shall any state agency or any person representing the state of Wyoming enter into any agreement that will cause the state to incur a financial penalty for failing to operate an American

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health benefits exchange as provided in the Patient Protection and Affordable Care Act, P.L. 111-148. No state agency or person representing the state of Wyoming shall apply for a level one or level two establishment grant from the federal government until the United States supreme court rules in the case of *Florida et al. v. United States Department of Health and Human Services*, Docket No. 11-400.

Section 3. There is appropriated funds remaining from the appropriation under 2011 Wyoming Session Laws, Chapter 195, section 1(g) and an additional twenty-five thousand dollars (\$25,000.00) from the general fund to the legislative service office for the salary, per diem and travel for the legislative members of the Wyoming health insurance exchange steering committee created by 2011 Wyoming Session Laws, Chapter 195. The funds in this section may be used to host a health symposium to promote partnerships with other likeminded states to explore compacts and partnerships including shared information technology or insurance risk pools. Any unexpended, unobligated funds remaining from this appropriation shall revert as provided by law on June 30, 2013.

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

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Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk