

HOUSE BILL NO. HB0113

Medicaid waiver program-military personnel.

Sponsored by: Joint Labor, Health & Social Services Interim
Committee

A BILL

for

1 AN ACT relating to the Medical Assistance and Services Act;
2 requiring the department of health to seek the amendment of
3 a Medicaid waiver program to create reserved capacity slots
4 for the dependents of military service members as
5 specified; providing an appropriation; and providing for an
6 effective date.

7

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

9

10 **Section 1.** W.S. 42-4-120 by creating new subsections
11 (n) and (o) is amended to read:

12

13 **42-4-120. Contracts for waiver services; authority of**
14 **department; emergency case services; cost based payments;**
15 **training and certification of specialists.**

1

2 (n) Not later than July 1, 2017, the department shall
3 seek permission from the federal centers for Medicare and
4 Medicaid services to provide reserved capacity slots to
5 qualifying dependents of military service members who
6 qualify for services under the home and community based
7 Medicaid waivers authorized by this section. If approved,
8 these reserve capacity slots shall be made available to the
9 qualifying dependents of military service members who:

10

11 (i) Are active duty military service members who
12 have been assigned to serve in Wyoming. A member may
13 submit an application for waiver benefits under this
14 paragraph upon receiving military orders to serve in
15 Wyoming, provided that no qualifying dependent shall
16 receive benefits until the dependent is residing in
17 Wyoming; or

18

19 (ii) Are retiring or separating from active duty
20 military service. A member may submit an application for
21 waiver benefits under this paragraph upon receiving
22 retirement or separation orders, provided that:

23

1 (A) The military member certifies on a form
2 provided by the department that he intends to reside in
3 Wyoming within eighteen (18) months after retiring or
4 separating from military service;

5
6 (B) The military service member claimed
7 Wyoming as his primary state of residency for not less than
8 two (2) years prior to his military service as proved by
9 documentation required by the department;

10
11 (C) The military service member claimed
12 Wyoming residency on his leave and earnings statements
13 while serving in the military; and

14
15 (D) No covered services shall be received
16 pursuant to this paragraph unless and until the qualifying
17 dependent and the military service member are residing in
18 Wyoming within eighteen (18) months after the military
19 service member retires or separates from active military
20 service.

21
22 (o) Applicants who qualify for the reserve capacity
23 slots made available under subsection (n) of this section

1 shall also be considered for funding made available to any
2 other applicant under this section and shall receive
3 benefits from whatever source of funding for which they
4 first qualify.

5

6 **Section 2.**

7

8 (a) In addition to any other appropriation to fund
9 home and community based Medicaid waiver programs, there is
10 appropriated to the department of health:

11

12 (i) For the purpose of funding the reserved
13 capacity slots for dependents of military service members
14 pursuant to W.S. 42-4-120(n), created by this act, and
15 related Medicaid covered medical costs:

16

17 (A) One hundred seventy-five thousand six
18 hundred forty-three dollars (\$175,643.00) from the general
19 fund; and

20

21 (B) One hundred seventy-five thousand six
22 hundred forty-three dollars (\$175,643.00) from federal
23 funds.

1

2 (b) The appropriations made by subsection (a) of this
3 section shall only be expended upon approval by the federal
4 centers for Medicare and Medicaid services of the reserved
5 capacity slots for which the department of health must seek
6 approval pursuant to W.S. 42-4-120(n), created by this act.

7

8 **Section 3.** This act is effective immediately upon
9 completion of all acts necessary for a bill to become law
10 as provided by Article 4, Section 8 of the Wyoming
11 Constitution.

12

13

(END)