

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO. [BILL NUMBER]

Wyoming health care authority.

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

A BILL

for

1 AN ACT relating to health care; establishing the Wyoming
2 health care authority; providing for membership of the
3 authority; authorizing the appointment of an executive
4 director; specifying purposes and powers of the authority;
5 requiring reports; specifying confidentiality; creating a
6 penalty; providing definitions; providing an appropriation;
7 and providing for effective dates.

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

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11 **Section 1.** W.S. 9-2-3301 through 9-2-3304 are created
12 to read:

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ARTICLE 33 - WYOMING HEALTH CARE AUTHORITY

9-2-3301. Wyoming health care authority; membership; compensation; executive director; definitions.

(a) As used in this article:

(i) "Authority" means the Wyoming health care authority created by this subsection;

(ii) "Board" means the board of the Wyoming health care authority.

(b) Commencing July 1, 2025, there is created the Wyoming health care authority, which is a body politic and corporate operating as an instrumentality of the state of Wyoming, with authority to adopt an official seal and to sue and be sued.

STAFF COMMENT

1 As a general note, this bill draft was modeled after the
2 structure of the Wyoming Energy Authority and includes
3 suggested language from the proposal that the Governor's
4 Office provided for the Committee's first meeting in Afton.

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9 (c) The authority shall be governed by a board
10 composed of thirteen (13) voting members appointed by the
11 governor. Except as provided in this subsection, all voting
12 members shall be appointed for four (4) year terms and with
13 the advice and consent of the senate. Without the advice
14 and consent of the senate, the governor shall appoint seven
15 (7) initial voting board members to a term of four (4)
16 years and shall appoint the remaining six (6) initial
17 voting board members to a term of two (2) years. Voting
18 members may be reappointed but shall serve not more than
19 three (3) consecutive terms. Any voting member who has
20 served three (3) consecutive terms may be reappointed to
21 the board following an absence of not less than one (1)
22 year from service on the board. The governor may remove any
23 member as provided in W.S. 9-1-202. Vacancies shall be
24 filled by appointment by the governor in accordance with
25 W.S. 28-12-101. The members shall elect from the membership
26 a chairman, vice-chairman and secretary. A majority of the

1 persons appointed and serving as members of the board shall
2 be qualified voters of the state of Wyoming. The board
3 membership shall include each of the following members:

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5 (i) A licensed physician practicing in Wyoming;

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7 (ii) A licensed nurse practicing in Wyoming;

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9 (iii) A Wyoming hospital administrator;

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11 (iv) An administrator of a federally qualified
12 health center or facility in Wyoming;

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14 (v) A licensed emergency medical services
15 provider operating in Wyoming;

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17 (vi) A licensed behavioral health provider
18 practicing in Wyoming;

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20 (vii) An administrator or dean of a Wyoming
21 higher education institution;

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23 (viii) A Wyoming business owner;

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(ix) A representative of a private insurance carrier operating in Wyoming;

(x) A representative of an insurance carrier which provides coverage through the federal health insurance marketplace, operating in Wyoming;

(xi) A member of the Eastern Shoshone or Northern Arapaho tribe, or the cooperative tribal governing body;

(xii) Two (2) members at large.

(d) The following persons shall serve as ex officio, nonvoting members of the board:

(i) The governor or a designee from the office of the governor;

(ii) The director of the department of health or the director's designee;

1 (iii) The director of the department of
2 insurance or the director's designee;

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4 (iv) The director of the department of
5 administration and information or the director's designee;

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7 (v) The director of the department of family
8 services or the director's designee;

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10 (vi) The director of the department of workforce
11 services or the director's designee;

12

13 (vii) The chairmen of the joint labor, health
14 and social services interim committee or a designee
15 appointed by the appropriate chairperson.

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17 (e) The board shall meet regularly but not less than
18 four (4) times each year. Members of the board who are not
19 government employees or public officers shall receive the
20 same per diem, expenses and travel allowance as members of
21 the legislature under W.S. 28-5-101 while in attendance at
22 meetings of the board and while performing their duties as
23 members of the board. Members who are government employees

1 or public officials shall be considered on official
2 business of their agency when performing duties as members
3 of the board.

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5 (f) The authority may employ and fix the compensation
6 of an executive director who shall serve at the pleasure of
7 the authority. The executive director shall serve as the
8 administrative head of the authority and perform duties
9 prescribed by the authority to assist in carrying out the
10 duties imposed by this article.

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14 **STAFF COMMENT**

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16 This bill draft creates the position of executive director
17 for the Wyoming health care authority. The Committee may
18 wish to consider if there is a specific agency or other
19 place to house the executive director based on the policy
20 preferences of the Committee.

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25 (g) Appointments and terms of office under this
26 section shall be as provided in W.S. 28-12-101 through 28-
27 12-103.

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29 (h) The authority is subject to the requirements of:

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(i) W.S. 16-3-101 through 16-3-105;

(ii) W.S. 16-4-201 through 16-4-205;

(iii) W.S. 16-4-401 through 16-4-408.

STAFF COMMENT

Briefly, the requirements set out in subsection (h) above are:

- W.S. 16-3-101 through 16-3-105: The Wyoming Administrative Procedure Act
- W.S. 16-4-201 through 16-4-205: The Public Records Act
- W.S. 16-4-401 through 16-4-408: The Public Meetings Act

9-2-3302. Purposes of the authority.

(a) The authority is created to:

(i) Study issues related to access, cost and quality of health care for Wyoming citizens;

1 (ii) Focus on rural health care strategies to
2 ensure access and quality care in remote and rural
3 locations of Wyoming;

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5 (iii) Collaborate with health care partners,
6 Wyoming state agencies and other governmental entities to
7 identify and minimize regulatory burdens on health care
8 industries in Wyoming;

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10 (iv) Develop strategies to prevent workforce
11 shortages among health care provider professions in
12 Wyoming;

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14 (v) Ensure transparency and effective
15 communication in the health care system;

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17 (vi) Facilitate the shared responsibility of
18 developing and achieving health care goals among health
19 care partners, the state of Wyoming and Wyoming citizens;

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21 (vii) Address and support the issues of wellness
22 and individual responsibility for personal health.

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1 (b) It shall not be the purpose of the authority to
2 consider the scope of practice of any licensed health care
3 profession.

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5 **9-2-3303. Powers of the authority; reports.**

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7 (a) The authority may:

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9 (i) Develop a Wyoming health care strategy to
10 improve and expand the health care system in Wyoming and to
11 reduce health care and medical liability insurance costs
12 for Wyoming citizens;

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14 (ii) Conduct hearings to gather and develop
15 relevant data consistent with the purposes, duties and
16 powers of the authority;

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18 (iii) Contract, upon terms as it may agree upon,
19 for legal, financial and other professional services
20 necessary or expedient in the conduct of its affairs;

21

22 (iv) Receive by gift, grant, donation or
23 otherwise, any sum of money, aid or assistance from the

1 United States, the state of Wyoming, any political
2 subdivision or any other public or private entity or any
3 country in good standing with the United States subject to
4 federal law;

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6 (v) Form subcommittees of the board to assist
7 with its duties imposed under this article;

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9 (vi) Study topics at the request of any committee
10 of the legislature, state agency or governmental entity and
11 provide guidance or recommendations for health care
12 improvement;

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14 (vii) Make recommendations to the legislature for
15 improvements to the health care system in Wyoming;

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17 (viii) Enter into partnerships with public or
18 private health care entities;

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22 **STAFF COMMENT**

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24 Paragraph (viii) above allows the health care authority to
25 enter into partnerships with other health care entities and
26 is based on similar language of the powers granted to the

1 Wyoming Energy Authority. The Committee may wish to
 2 consider if additional detail is required to properly
 3 outline the scope of the Health Care Authority's ability to
 4 enter into partnerships, such as whether the Authority may
 5 provide services or whether fees or costs may be assessed,
 6 when determining the policy considerations of this bill
 7 draft.

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 9 Additionally, subsection (c) below requires the Authority
 10 to submit a budget for administrative expenses. The Wyoming
 11 Energy authority is given the power to "receive by gift,
 12 grant, donation or otherwise, any sum of money, aid or
 13 assistance from the United States, the state of Wyoming,
 14 any political subdivision or any other public or private
 15 entity or any country in good standing with the United
 16 States subject to federal law". The Committee may wish to
 17 consider if the Wyoming Health Care Authority should be
 18 granted this power to provide additional funding for the
 19 Authority's activities to accomplish the purposes of this
 20 bill draft.

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25 (b) The sole recourse of any party contracting with
 26 the authority shall be against the authority, and there
 27 shall be no cause of action against the state or any
 28 county, municipality or other political subdivision of the
 29 state.

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 31 (c) The authority shall submit its budget for review
 32 as provided by W.S. 9-2-1010 through 9-2-1014. Any
 33 appropriation to the authority shall be expended only for

1 administrative purposes, which shall include planning and
2 research.

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4 (d) The authority shall annually report to the
5 governor and the joint labor, health and social services
6 interim committee not later than October 1 with respect to
7 the progress of the authority in meeting its purposes and
8 goals under this article. The authority shall provide any
9 legislative recommendations for the improvement of health
10 care in Wyoming.

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12 **9-2-3304. Confidential information, penalty.**

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14 (a) All information obtained by the authority in
15 connection with any meeting or hearing under this article
16 that contains or that might reveal confidential health care
17 information or medical records shall be considered as
18 confidential for the purposes of this article in accordance
19 with W.S. 16-4-203(d)(xxi). The authority shall not
20 disclose confidential information to any person,
21 governmental entity or agency without prior written consent
22 from the owner of the confidential information.

23

1 (b) Any board member or employee of the authority who
2 discloses or causes to be disclosed any confidential
3 information pursuant to subsection (a) of this section is
4 guilty of a misdemeanor punishable by imprisonment for not
5 more than one (1) year, a fine of not more than one
6 thousand dollars (\$1,000.00), or both.

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8 **Section 2.** W.S. 16-4-203(d) by creating a new
9 subsection (xxi) is amended to read:

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11 **(d) The custodian shall deny the right of inspection**
12 **of the following records, unless otherwise provided by law:**

13

14 (xxi) Any confidential information obtained in
15 connection with any meeting, hearing, study or activity of
16 the Wyoming health care authority as provided in W.S. 9-2-
17 303(a)(ii) through (iv).

18

19 **Section 3.** The governor shall make initial
20 appointments to the board of the Wyoming health care
21 authority on or before May 30, 2025 and shall thereafter
22 submit appointments for the Wyoming health care authority
23 by the date specified in W.S. 28-12-101(a)(ii).

1 appropriation may be needed to stand up the Wyoming Health
2 care Authority.

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7 **Section 5.** This act is effective immediately upon
8 completion of all acts necessary for a bill to become law
9 as provided by Article 4, Section 8 of the Wyoming
10 Constitution.

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(END)