

**Wyoming 2008 Legislative Budget Session
Health Care Issues Report #5
2/29/08**

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H.B. 82, the bill to extend the program to pay hospitals for unreimbursed trauma care has passed the House and been approved by Senate Labor Committee. It will be heard in the Senate this week assuming it is funded by the Senate Appropriations Committee

HB 188, Loss of Chance Abrogated, sponsored by Rep. Hallinan (R-Gillette) has passed the House. The Senate Labor Committee is looking at the bill which would limit the loss of chance doctrine to only be applicable to cases where there was lower than 50% chance of living, but more than 25%.

HB 73 sponsored by Rep. Erin Mercer (R-Gillette) which toughens drunken driving penalties has passed the House and is on Senate General File. A third DUI in seven years would be a felony, as would a fifth DUI in the course of a lifetime. Current law allows up to three drunken driving convictions without the threat of prison and a fourth DUI in five years is a felony. The bill also requires 60 days in jail for a second drunken driving conviction instead of the current seven days and would increase the maximum fine from \$750 to \$3,000.

SF 85, which would create a pilot program for state-funded health care for low income residents, passed the Senate but was defeated in House Labor Committee. The bill sponsored by Sen. Charlie Scott (R-Casper) would have created an insurance pool for people who have entry level jobs but make too much to qualify for Medicaid and don't get insurance through work. The Health Care Commission expressed concern that they had not reviewed the proposal before the session.

SF 19 which would establish requirements for cleaning up clandestine drug labs, has passed the Senate and is moving through House floor debate.

H.B. 38 Medicaid Provider Reimbursements, to direct the Department of Health to establish a new reimbursement schedule for providers of Medicaid services failed in the Senate.

HB 98 Speech Pathologists Licensing has passed the House and is being scrutinized by the Senate. The bill is a major revision of the practices act and is experiencing resistance from Senators leery of a major revision during the budget session. Another practices act revision (for surveyors and engineers) failed in Senate Minerals Committee when Senators complained that it was too major of a change to tackle during the budget

session. They noted that they would have like to have been contacted during the interim by promoters. Good advice!

HB 155 is a bill that helps to fund incentive packages to attract doctors to Wyoming. It would pay moving expenses, malpractice premiums, offers signing bonuses up to \$30,000 and loan repayment programs. It also allows private practices to apply for the grants as well as hospitals. It has passed the House and is being examined by the Senate Appropriations Committee.

I have moved the bills that failed to the end of the list. A total bill listing can be viewed by going to [2008 Bill Information](#). When you look up a bill that has passed one house and moved to the other, check to see if there is an engrossed version with amendments included.

STATUS OF BILLS OF INTEREST

[H.B. No. 0013](#) [Psychologist licensure.](#)

Sponsored by: Select Committee on Mental Health and Substance Abuse Services
AN ACT relating to the Wyoming state board of psychology; amending the psychologists licensing act; providing for application of licensing act; removing separate licensing requirements related to school psychologists; revising the composition of the state board of psychology as specified; providing for issuance of temporary licenses to practice psychology as specified; revising the grounds and evidentiary standard for disciplinary actions as specified; authorizing the state board to employ specified personnel; amending and adding definitions; and providing for an effective date. PASSED HOUSE, IN SENATE LABOR COMMITTEE

H.B. 31 Medical Safety Event Reporting

Sponsored by: Joint Labor, Health and Social Services Interim Committee
AN ACT relating to public health and safety; authorizing the department of health to define safety events for purposes of mandatory reporting by health care facilities as specified; granting rulemaking authority; repealing a list of reportable safety events; and providing for an effective date. WAITING FOR ACTION BY GOVERNOR <http://legisweb.state.wy.us/2008/Enroll/HB0031.pdf>

[H.B. No. 0043](#) [Penalties for domestic violence.](#)

Sponsored by: BERGER
AN ACT relating to crimes and offenses; increasing penalties for domestic violence offenses as specified; and providing for an effective date. PASSED HOUSE, ON SENATE GENERAL FILE

[H.B. No. 0052](#) [Developmental programs-cost based reimbursements.](#)

Sponsored by: Select Committee on Developmental Programs
AN ACT relating to Medicaid; authorizing a cost based payment system for providers of services and supplies under home and community based waiver programs for persons with developmental disabilities and acquired brain injury; granting rulemaking authority; providing an appropriation; and providing for an effective date. PASSED HOUSE, ON SENATE GENERAL FILE

[H.B. No. 0073](#) [DUI-penalties.](#)

Sponsored by: MERCER
AN ACT relating to driving while under the influence; amending penalties for driving while under the influence as specified; and providing for an effective date. PASSED HOUSE, ON SENATE GENERAL FILE

[H.B. No. 0082](#) [Trauma care services.](#)

Sponsored by: LOCKHART

AN ACT relating to medical care; extending payment program to hospitals for unreimbursed trauma care as specified; providing an appropriation; and providing for an effective date. PASSED HOUSE, IN SENATE APPROPRIATIONS COMMITTEE

[H.B. No. 0098](#) [Speech pathologists licensing.](#)

Sponsored by: ESQUIBEL,K

AN ACT relating to professions and occupations; amending the licensing act for speech pathologists and audiologists; making the act applicable to persons practicing through telephonic or other remote means; amending educational requirements for licenses as specified; repealing obsolete provisions; repealing authorization for temporary unlicensed practice; providing for a provisional license; amending license renewal requirements; amending maximum fines for violations; and providing for an effective date. PASSED HOUSE, ON SECOND READING IN SENATE

[H.B. No. 0127](#) [Prescription drugs-physician shopping.](#)

Sponsored by: SIMPSON

AN ACT relating to controlled substances; amending the Wyoming Controlled Substances Act of 1971 to further specify illegal means of obtaining and dispensing controlled substances or obtaining prescriptions for controlled substances; amending penalties; and providing for an effective date. PASSED HOUSE, ON SENATE GENERAL FILE

[H.B. No. 0155](#) [Recruitment of physicians and dentists.](#)

Sponsored by: LUBNAU

AN ACT relating to health care services; providing a grant program for physician recruitment; providing grant eligibility and payment conditions; granting rulemaking authority; repealing a local matching funds requirement for the physician and dentist loan repayment program; providing appropriations; authorizing a position; and providing for an effective date. PASSED HOUSE, ON SECOND READING IN SENATE

S.F. No. 6 Cost for Emergency Detention

Sponsored by the Select Committee on Mental Health and Substance Abuse Services

AN ACT relating to hospitalization of mentally ill persons; limiting the costs that a county or the state may be required to pay for persons detained to determine whether the person is mentally ill and in need of involuntary hospitalization; and providing for an effective date. WAITING FOR ACTION BY THE GOVERNOR <http://legisweb.state.wy.us/2008/Enroll/SF0006.pdf>

S.F. No. 10 Mental Health and Substance Abuse Appropriations

Sponsored by: Select Committee on Mental Health and Substance Abuse Services

AN ACT relating to mental health and substance abuse appropriations; providing appropriations as specified; specifying conditions; continuing a study of mental health and substance abuse services delivery systems; and providing for effective dates. WAITING FOR ACTION BY THE GOVERNOR <http://legisweb.state.wy.us/2008/Enroll/SF0010.pdf>

[S.F. No. 0013](#) [Mental Health Professions Practice Act-amendments.](#)

Sponsored by: Select Committee on Mental Health and Substance Abuse Services

AN ACT relating to the Mental Health Professions Practice Act; modifying certification and provisional licensing requirements; clarifying licensure and certification reciprocity; and providing for an effective date. PASSED SENATE, ON HOUSE, GENERAL FILE

[S.F. No. 0024](#) [Health insurance-clinical trials.](#)

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

AN ACT relating to insurance; requiring coverage in health insurance policies and certificates for routine care related to the insured's participation in a clinical trial or study as specified; providing exceptions; providing definitions; and providing for an effective date. PASSED SENATE, IN HOUSE LABOR COMMITTEE

[S.F. No. 0031](#) [Domestic violence counseling period.](#)

Sponsored by: HASTERT

AN ACT relating to domestic violence; amending the time period a respondent in a domestic violence incident may be required to participate in counseling or other appropriate treatment; and providing for an effective date. PASSED SENATE, ON HOUSE GENERAL FILE

[S.F. No. 0036](#) [Public health emergencies-volunteers.](#)

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

AN ACT relating to public health and safety; providing immunity from liability for volunteer health care providers without active licenses as specified; providing for temporary health care provider licensure during a public health emergency; and providing for an effective date. PASSED SENATE, ON FINAL READING IN HOUSE

S.F. No. 57 Hospitals Participation in State Retirement

Sponsored by: ANDERSON,J

AN ACT relating to the Wyoming retirement system; allowing employees of county memorial hospitals and special hospital districts to participate in the retirement system; prohibiting participation in multiple retirement programs as specified; amending a definition; conditioning implementation upon receipt of required payments; providing for funding; and providing for an effective date. WAITING FOR ACTION BY THE GOVERNOR <http://legisweb.state.wy.us/2008/Enroll/SF0057.pdf>

[S.F. No. 0062](#) [Emergency medical technicians.](#)

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

AN ACT relating to emergency medical technicians; creating a volunteer emergency medical technician pension fund as specified; providing for administration; providing for training of ambulance attendants and physician medical directors; granting rulemaking authority; providing appropriations; and providing for an effective date. PASSED SENATE, ON HOUSE GENERAL FILE

BILLS THAT FAILED

[H.B. No. 0002](#) [Alcohol taxes to treat substance abuse.](#)

Sponsored by: Select Committee on Mental Health and Substance Abuse Services

AN ACT relating to taxation and public health; increasing a tax on alcohol; providing for earmarking of funds for substance abuse programs; appropriating funds and providing for future budgeting of earmarked funds; and providing for an effective date. FAILED

[H.B. No. 0035](#) [Underage drinking.](#)

Sponsored by: GINGERY

AN ACT relating to alcohol; creating an offense for persons under age twenty-one (21) years who attempt or gain admittance to liquor dispensing rooms or drive-in liquor areas as specified; expanding offenses for persons under the age of twenty-one (21) years who possess or consume alcohol; providing penalties; providing for prima facie evidence; providing a definition; limiting possession or consumption of alcohol by a person under the age of twenty-one (21) years in the presence of a parent or guardian as specified; and providing for an effective date. FAILED

[H.B. No. 0038](#) [Medicaid-provider reimbursements.](#)

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

AN ACT relating to Medicaid; providing for regular revision of provider reimbursement schedules as specified; and providing for an effective date. FAILED

[H.B. No. 0041](#) [Cigarette wholesalers.](#)

Sponsored by: LANDON

AN ACT relating to taxation and revenue; amending the discount of cigarette stamps sold to wholesalers as specified; and providing for an effective date. FAILED

[H.B. No. 0047](#) [Long term care access.](#)

Sponsored by: Joint Labor, Health and Social Services Interim Committee
AN ACT relating to the Wyoming Long Term Care Choices Act; authorizing a statewide network of aging and disability resource centers as specified; granting rulemaking authority; authorizing amendments to the state Medicaid plan; providing an appropriation; and providing for an effective date. FAILED

[H.B. No. 0058](#) [Safety belt violations.](#)

Sponsored by: IEKEL

AN ACT relating to motor vehicles; removing restriction on stopping motor vehicles solely for safety belt violations; and providing for an effective date. FAILED

[H.B. No. 0087](#) [Smoke free-enclosed public places.](#)

Sponsored by: MILLIN

AN ACT relating to public health and safety; prohibiting smoking in enclosed public places as specified; requiring posting of public notices; providing definitions; providing exceptions; granting rulemaking authority; providing penalties; authorizing local regulation; and providing for an effective date. FAILED

[H.B. No. 0093](#) [Universal health insurance.](#)

Sponsored by: ESQUIBEL,F

AN ACT relating to public health and insurance; providing for Wyoming health care commission to solicit and review proposals for expanded health insurance coverage as specified; requiring a report; providing an appropriation; and providing for an effective date. FAILED

[H.B. No. 0094](#) [Use of wireless communications devices while driving.](#)

Sponsored by: ESQUIBEL,F

AN ACT relating to motor vehicles; prohibiting the use of wireless communications devices while driving; providing exceptions; providing definitions; providing penalties; and providing for an effective date. FAILED

[H.B. No. 0095](#) [Costs of emergency detention and hospitalization.](#)

Sponsored by: WARREN

AN ACT relating to emergency detention costs; limiting authority to seek recovery of costs from patients as specified; and providing for an effective date. FAILED

AN ACT relating to motor vehicles; removing restriction on stopping motor vehicles solely for safety belt violations; and providing for an effective date. FAILED

[H.B. No. 0070](#) [Distracted driving.](#)

Sponsored by: ESQUIBEL,F

AN ACT relating to motor vehicles; prohibiting the use of wireless communications devices by specified licensees while driving; providing exceptions; providing definitions; providing penalties; and providing for an effective date. FAILED

[H.B. No. 0138](#) [Denturists licensing board.](#)

Sponsored by: QUARBERG

AN ACT relating to the licensure of denturists; creating a board of denturists; regulating the practice of denturism; providing for licensing, fees, examinations and other regulation of denturists; repealing prohibition on soliciting for denturism services; providing criminal penalties for violations of denturist act; providing definitions; and providing for an effective date. FAILED

[H.B. No. 0140](#) [Optional alcoholic beverage tax.](#)

Sponsored by: PHILP

AN ACT relating to taxation and revenue; providing for the optional imposition of an excise tax on liquor as specified; providing for procedures; and providing for an effective date. FAILED

[H.B. No. 0144](#) [Speech pathologists-national certification.](#)

Sponsored by: MEYER

AN ACT relating to education, providing reimbursement for speech pathologists who obtain national certification; and providing for an effective date. FAILED

[H.B. No. 0172 Homicide during pregnancy.](#)

Sponsored by: HARSHMAN

AN ACT relating to crimes and offenses; establishing the offense of involuntary termination of pregnancy; imposing a penalty; and providing for an effective date. FAILED

[S.F. No. 0014 Small employer health insurance.](#)

Sponsored by: CASE

AN ACT relating to the small employer health insurance availability act; limiting applicability of the act based upon employer payment of premiums; and providing for an effective date. FAILED

[S.F. No. 0034 State health and social welfare institutions.](#)

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

AN ACT relating to the administration of government; providing for a study of the state's health and social welfare institutions; creating a select legislative committee on state institutions; creating a governor's planning committee on state institutions; prescribing duties of the committees; requiring reports; authorizing temporary positions; providing appropriations; providing for a delayed repeal date; and providing for an effective date. FAILED

[S.F. No. 0035 Physician and dentist recruitment.](#)

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

AN ACT relating to health care services; providing a grant program for physician recruitment; providing grant eligibility and payment conditions; granting rulemaking authority; repealing a local matching funds requirement for the physician and dentist loan repayment program; providing appropriation. FAILED

[S.F. No. 0059 DUI-mandatory hold upon arrest.](#)

Sponsored by: LANDEN

AN ACT relating to driving under the influence; requiring a person suspected of driving while under the influence of alcohol to be arrested and detained as specified; and providing for an effective date. FAILED

[S.F. No. 0072 Hospitalization of mentally ill-amendments.](#)

Sponsored by: COOPER

AN ACT relating to the mentally ill; amending immunity provisions for specified personnel who deal with persons in emergency detention; amending a definition; requiring that specified rules of the Wyoming state hospital be adopted in accordance with the Wyoming Administrative Procedure Act; authorizing specified licensed practitioners to review findings of an examiner, when indicated; and providing for an effective date. FAILED

[S.F. No. 0073 Restroom access-medical conditions.](#)

Sponsored by: BEBOUT

AN ACT relating to public health and safety; creating the restroom facility access card program as specified; granting card holders access to restroom facilities in all retail businesses as specified; granting rulemaking authority; providing a penalty; and providing for an effective date. FAILED

[S.F. No. 0074 Traditional birth care.](#)

Sponsored by: JOHNSON

AN ACT relating to the Medical Practice Act; providing an exemption from the Medical Practice Act for the practice of midwifery; and providing for an effective date. FAILED

[S.F. No. 0078 Prescription drug practices.](#)

Sponsored by: MOCKLER

AN ACT relating to prescription drug practices; creating a fiduciary duty for pharmacy benefit managers; requiring pharmacy benefit managers to pass on any benefits or payments received from drug manufacturers to covered individuals; providing for disclosure of financial information; providing penalties; and providing for an effective date. FAILED

[S.F. No. 0085](#) [Health care reform-pilot project.](#)

Sponsored by: SCOTT

AN ACT relating to health insurance; providing for an experimental health care insurance reform pool; providing for a plan design commission; providing for design of a benefits package under the reform pool; providing for eligibility; providing definitions; providing for a report; providing for a repeal date; providing an appropriation; and providing for an effective date. FAILED

[S.F. No. 0090](#) [Workers' compensation-mental injury.](#)

Sponsored by: HASTERT

AN ACT relating to workers' compensation; amending the definition of injury to authorize coverage of a mental injury as specified; and providing for an effective date. FAILED

[S.F. No. 0091](#) [Welfare drug screening.](#)

Sponsored by: BEBOUT

AN ACT relating to welfare; providing for drug screening; and providing for an effective date. FAILED

[S.F. No. 0092](#) [Medical necessity in insurance contracts.](#)

Sponsored by: SESSIONS

AN ACT relating to insurance; defining medical necessity; setting requirements for analyzing insurance coverage and benefit payments under a medical necessity standard; setting requirements for denying payment or coverage; allowing the insurance commissioner to request, collect and analyze data; and providing for an effective date. FAILED

[S.F. No. 0093](#) [Child care facilities certification.](#)

Sponsored by: PERKINS

AN ACT relating to child care facilities; providing an exception to certification requirements; and providing for an effective date. FAILED