

## HOUSE BILL NO. HB0050

Health insurance exchanges.

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

A BILL

for

1 AN ACT relating to the administration of government and the  
2 2010 federal health care reform; providing for a study of  
3 whether the state should establish and operate a Wyoming  
4 health insurance exchange or participate in a regional  
5 exchange; creating a steering committee; requiring a report  
6 and specifying report requirements; providing  
7 appropriations; and providing for an effective date.

8

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

10

11 **Section 1.**

12

13 (a) The steering committee created under subsection  
14 (b) of this section shall conduct a study of whether to  
15 create a Wyoming health insurance exchange or participate  
16 in a regional exchange, hereinafter referred to as "the

1 exchange," as provided in the Patient Protection and  
2 Affordable Care Act, P.L. 111-148, and the Health Care and  
3 Education Reconciliation Act of 2010, P.L. 111-152,  
4 hereinafter referred to collectively as "the health care  
5 reform acts."

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7 (b) The study shall be paid for, to the extent  
8 possible, by a federal grant awarded to the state for  
9 planning and establishment of insurance exchanges.

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

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15 (i) Two (2) senators appointed by the president  
16 of the senate, one (1) of which shall serve as co-chairman  
17 of the committee;

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19 (ii) Two (2) representatives appointed by the  
20 speaker of the house, one (1) of which shall serve as co-  
21 chairman of the committee;

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23 (iii) Two (2) representatives from the business  
24 community in the state appointed by the governor;

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2 (iv) Two (2) representatives from domestic  
3 insurance companies appointed by the governor;

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5 (v) One (1) insurance producer appointed by the  
6 governor;

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8 (vi) One (1) medical provider appointed by the  
9 governor;

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11 (vii) One (1) person representing hospitals in  
12 the state appointed by the governor;

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14 (viii) One (1) person representing Wyoming  
15 consumers appointed by the governor;

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17 (ix) At least five (5) members from affected  
18 state agencies and the governor's office appointed by the  
19 governor.

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21 (d) The Wyoming health insurance exchange steering  
22 committee shall have the authority to contract with experts  
23 and consultants as may be useful in conducting the study.

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1 (e) The study shall:

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3 (i) Recommend whether the state should proceed  
4 or not proceed with the development of an exchange;

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6 (ii) If the recommendation is that the state  
7 should proceed with the development of the exchange,  
8 provide a work plan for the development of the exchange and  
9 identify any legislation needed to implement the exchange  
10 during the 2012 legislative budget session or subsequent  
11 legislative sessions;

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13 (iii) Recommend whether the state should proceed  
14 with the development of the exchange within the state, as a  
15 partner with other states or defer the decision until 2013.  
16 If a deferral is recommended, the study shall identify the  
17 additional work needed before a final decision can be made;

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19 (iv) Evaluate how the exchange will help the  
20 operation of the private marketplace in health insurance by  
21 helping people comparison shop for health insurance and by  
22 reducing the marketing cost for health insurance. The  
23 study shall identify any additional work needed to  
24 facilitate these goals, if they are feasible;

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2 (v) Consider options being considered by other  
3 states in developing and operating health insurance  
4 exchanges;

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6 (vi) Evaluate whether the exchange should offer  
7 a full scope of services or whether a more limited scope of  
8 services is appropriate;

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10 (vii) Recommend whether Wyoming should proceed  
11 with the development of a health insurance exchange if the  
12 related provisions in the health care reform acts are  
13 repealed;

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15 (viii) Evaluate whether there is a reasonable  
16 opportunity for successful litigation to prevent the  
17 federal government from proceeding with a health insurance  
18 exchange serving Wyoming if Wyoming decides not to create a  
19 Wyoming health insurance exchange or creates an exchange  
20 with a limited scope not meeting the requirements of the  
21 health care reform acts. The study shall also evaluate  
22 whether the operation of a federal exchange would do  
23 sufficient harm to the people of Wyoming to justify that  
24 litigation;

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2           (ix) Evaluate whether an exchange can be used to  
3 facilitate the sale of health insurance across state lines;  
4 and

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6           (x) Consider whether a decision by Wyoming to  
7 opt out of the Medicaid program or other provisions of  
8 national health insurance reform would affect the ability  
9 of other states to join with Wyoming in the sale of  
10 insurance across state lines.

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12           (f) A preliminary study report shall be provided to  
13 the joint labor, health and social services interim  
14 committee by October 1, 2011.

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16           (g) There is appropriated one hundred forty-five  
17 thousand dollars (\$145,000.00) from the general fund to the  
18 governor's office. This appropriation shall be for the  
19 period beginning with the effective date of this act and  
20 ending June 30, 2012. This appropriation shall only be  
21 expended for the purpose of conducting those parts of the  
22 study that cannot be paid for by a federal grant awarded to  
23 the state for planning and establishment of insurance  
24 exchanges and preparing the report required by this act.

1 Notwithstanding any other provision of law, this  
2 appropriation shall not be transferred or expended for any  
3 other purpose and any unexpended, unobligated funds  
4 remaining from this appropriation shall revert as provided  
5 by law on June 30, 2012. This appropriation shall not be  
6 included in the governor's 2012 supplemental budget request  
7 or the 2013-2014 standard biennial budget request.

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9 (h) The legislative members of the committee shall  
10 receive salary and reimbursement for per diem and travel  
11 expenses incurred in the performance of their duties on the  
12 committee as provided in W.S. 28-5-101. There is  
13 appropriated ten thousand dollars (\$10,000.00) from the  
14 general fund to the legislative service office for the  
15 salary, per diem and travel for the legislative members of  
16 the steering committee. Any unexpended, unobligated funds  
17 remaining from this appropriation shall revert as provided  
18 by law on June 30, 2012.

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1           **Section 2.** This act is effective immediately upon  
2 completion of all acts necessary for a bill to become law  
3 as provided by Article 4, Section 8 of the Wyoming  
4 Constitution.

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(END)