

SENATE FILE NO. SF0029

Developmental disability services.

Sponsored by: Select Committee on
Developmental/Intellectual Programs

A BILL

for

1 AN ACT relating to the Medicaid program; providing
2 requirements for the reimbursement of home and community
3 based waiver service providers; directing the department of
4 health to provide enhanced reimbursement of certified
5 behavioral specialists as specified; directing the
6 department and the university, with the community college
7 commission, to develop a training and certification program
8 for behavior specialists; specifying a basis for
9 calculation of budget requests for home and community based
10 waiver service providers; requiring reports; providing
11 appropriations; and providing for an effective date.

12

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

14

15 **Section 1.** W.S. 21-17-123 is created to read:

16

1 **21-17-123. Program for certification of behavioral**
2 **specialists.**

3
4 The University of Wyoming board of trustees shall develop,
5 in cooperation with the department of health and the
6 community college commission, and offer a course of
7 training and education in the field of professional health
8 services for behavioral specialists with an emphasis in the
9 care of persons dually diagnosed with an intellectual
10 disability and a mental disorder. The program shall be
11 designed to lead to certification as a behavioral health
12 specialist pursuant to W.S. 42-4-120(h) and (j) and rules
13 and regulations of the department of health.

14
15 **Section 2.** W.S. 42-4-120(g)(ii) and by creating new
16 subsections (h) through (k) is amended to read:

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18 **42-4-120. Contracts for waiver services; authority of**
19 **department; emergency case services; cost based payments.**

20
21 (g) The department shall establish by rule and
22 regulation a cost based reimbursement system to pay
23 providers of services and supplies under home and community
24 based waiver programs for persons with developmental

1 disabilities or acquired brain injury. The payment system
2 shall:

3
4 (ii) Establish a new base period to be used in
5 calculating reimbursement rates to providers for ~~subsequent~~
6 ~~budget periods~~ fiscal year 2012 and at least once every
7 four (4) years thereafter but not more than once in any two
8 (2) year period. When a new base period is established,
9 the department shall submit a biennial or supplemental
10 budget request to adjust provider reimbursement rates based
11 on the most current base period;

12
13 (h) The department shall apply to the center for
14 Medicare and Medicaid services of the United States
15 department of health and human services for authorization
16 to reimburse at an enhanced rate direct care providers who
17 have training and certification as behavioral specialists
18 in the care of persons dually diagnosed with a
19 developmental disability and a mental illness.

20
21 (j) The department, through the developmental
22 disabilities division and the mental health and substance
23 abuse services division, shall collaborate with the
24 University of Wyoming institute for disabilities and the

1 community college commission in developing a training
2 program for behavioral specialists in the care of persons
3 dually diagnosed with a developmental disability and a
4 mental illness. The program shall include a required
5 curriculum and standards for certification and evaluation
6 of dual diagnosis behavioral specialists, consistent with
7 the requirements of subsection (h) of this section.

8
9 (k) Department budget requests for the cost based
10 reimbursement system established pursuant to subsection (g)
11 of this section shall be calculated to reflect all service
12 units required in plans of care for recipients as of the
13 preceding June 30.

14
15 **Section 3.** The department of health shall provide a
16 report by October 1, 2011 and October 1, 2012 to the joint
17 labor, health and social services interim committee. The
18 report shall include the status of the waiver application
19 pursuant to W.S. 42-4-120(h), the status of the training
20 and certification program pursuant to W.S. 42-4-120(j) and
21 the rebasing of the cost base reimbursement system pursuant
22 to W.S. 42-4-120(g)(ii). The report shall include any
23 recommended statutory or rule changes and a detailed budget

1 narrative for any budget requests related to those
2 statutory sections.

3

4 **Section 4.**

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6 (a) There is appropriated one million eight hundred
7 fifty thousand dollars (\$1,850,000.00) from the general
8 fund and one million eight hundred fifty thousand dollars
9 (\$1,850,000.00) in federal funds to the department of
10 health. This appropriation shall be for the period
11 beginning with the effective date of this act and ending
12 June 30, 2012. This appropriation shall only be expended
13 for the purpose of adjusting the cost based reimbursement
14 formula pursuant to W.S. 42-4-120(g)(ii) to the extent that
15 the adjustment is for previously undercounted provider
16 service units. This appropriation shall be reduced dollar
17 for dollar by any amount appropriated for the same purpose
18 in the general government appropriations bill enacted
19 during the 2011 general session. Notwithstanding any other
20 provision of law, this appropriation shall not be
21 transferred or expended for any other purpose and any
22 unexpended, unobligated funds remaining from this
23 appropriation shall revert as provided by law on June 30,

1 2012. This appropriation shall not be included in the
2 department's 2013-2014 standard biennial budget request.

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4 (b) There is appropriated fifty thousand dollars
5 (\$50,000.00) from the general fund to the department of
6 health. This appropriation shall be for the period
7 beginning with the effective date of this act and ending
8 June 30, 2012. This appropriation shall only be expended
9 for the purpose of W.S. 42-4-120(j). Notwithstanding any
10 other provision of law, this appropriation shall not be
11 transferred or expended for any other purpose and any
12 unexpended, unobligated funds remaining from this
13 appropriation shall revert as provided by law on June 30,
14 2012. This appropriation shall not be included in the
15 department's 2013-2014 standard biennial budget request.

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

21

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(END)