

[BUDGET(s) AFFECTED]

Section Under Consideration:

**Section 300s. ADDITION TO 300 SECTIONS**  
(Medicaid Expansion)

\* \* \* \* \*

1 Page 140-after line 25 Insert the following new section and  
2 renumber as necessary:  
3

4 "[MEDICAID EXPANSION]  
5

6 **Section 323.**  
7

8 (a) As directed by the governor, the insurance commissioner  
9 of this state and the director of the department of health shall  
10 as soon as practicable negotiate with the centers for Medicare and  
11 Medicaid services of the United States department of health and  
12 human services to obtain a state plan amendment or other federal  
13 authorization to provide for Medicaid expansion to cover all  
14 persons described under section 1902(a)(10)(A)(i)(VIII) of the  
15 Social Security Act, 42 U.S.C. § 1396a(a)(10)(A)(i)(VIII), or any  
16 other federal law that replaces that act before the repeal of this  
17 section and subject to the requirements imposed under subsection  
18 (b) of this section.  
19

20 (b) If the negotiation required by subsection (a) of this  
21 section reveals viable and fiscally advantageous options as  
22 determined by the governor for the expansion of Medicaid  
23 eligibility in Wyoming, the governor by and through the department  
24 of health is authorized to pursue any Medicaid plan amendments or  
25 other waivers that are necessary and prudent for the expansion.  
26 Any expansion authorized under this section shall be subject to  
27 the following requirements and restrictions:  
28

29 (i) Any expansion of Medicaid under this section shall  
30 not be administered during any time period in which the increased  
31 federal medical assistance percentage, as currently provided under  
32 42 U.S.C. § 1396d(y), is less than ninety percent (90%), nor shall  
33 any expansion of Medicaid under this section be administered during  
34 any time period in which the regular federal medical assistance  
35 percentage for Wyoming under 42 U.S.C. § 1396d(b) is less than the

1 average regular federal medical assistance percentage of the  
2 states of Colorado, Idaho, Montana, Nebraska and South Dakota;

3  
4 (ii) No public funds used for the expansion of Medicaid  
5 under this section shall be used:

6  
7 (A) To abort or terminate a pregnancy after the  
8 embryo or fetus has reached viability except if the pregnancy is  
9 the result of rape or incest, or the woman suffers from a physical  
10 disorder, injury or illness, including a life-endangering physical  
11 condition caused by or arising from the pregnancy itself, that  
12 would place her in danger of death unless an abortion is performed,  
13 as certified by a physician; or

14  
15 (B) For any gender affirmation or sex reassignment  
16 surgery, for accessing hormone therapies, puberty blockers, voice  
17 therapies or for any other service or treatment otherwise used to  
18 assist a person to transition to their self-identified gender.

19  
20 (iii) Before making application to expand Medicaid  
21 eligibility pursuant to subsection (b) of this section, the  
22 governor shall provide written notice to the legislature. The  
23 governor shall also provide a report to the joint labor, health  
24 and social services interim committee and the joint appropriations  
25 committee detailing the reasons for the expansion, the means for  
26 having the expansion approved, whether any funding for the  
27 expansion will be necessary and the reasons that the expansion is  
28 viable and fiscally advantageous for Wyoming. The notice and  
29 reports shall be submitted to the legislature in sufficient time  
30 to allow the legislature adequate notice to consider approval of  
31 the expansion during the next immediately occurring legislative  
32 session or in sufficient time to call a special session for  
33 consideration of the expansion before the effective date of any  
34 obligations binding on the state. The expansion of eligibility for  
35 Medicaid in Wyoming is authorized only to the extent provided in  
36 this section. To the extent necessary, this section shall be  
37 construed to supersede 2013 Wyoming Session Laws, Chapter 116,  
38 Section 5."

39  
40 To the extent required by this amendment: adjust totals; and  
41 renumber as necessary. CASE