

ENROLLED ACT NO. 73, SENATE

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING
2019 GENERAL SESSION

AN ACT relating to the department of health; authorizing the department of health to carry out health care innovation studies; creating an account; providing a waiver from procurement requirements; authorizing the department of health to waive existing rules as necessary to conduct innovative studies; authorizing the adoption of rules; clarifying a definition; making an appropriation; and providing for an effective date.

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

Section 1. W.S. 9-2-128 and 9-2-129 are created to read:

9-2-128. Health care innovation; studies; account.

(a) The department is authorized to carry out innovative studies relating to the following:

(i) Reduction of costs associated with long-term care, chronic disease or other health care services to the state of Wyoming;

(ii) Allowing individuals in need of long-term care to remain in their homes and communities;

(iii) Developing necessary long-term care or other health care services in Wyoming;

(iv) Use of broadband internet to access health care services.

(b) There is created the health care innovation account. Funds in the account may include any applicable federal funds and shall be used to carry out innovative

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studies under this section, subject to legislative appropriation.

(c) Not later than September 30 of each year, the department shall provide a report to the joint labor, health and social services interim committee and the joint appropriations committee relating to funding and studies carried out under this section.

(d) The department may enter into agreements to carry out this section. Except as otherwise provided in this section, agreements under this section shall be exempt from the procurement requirements set forth in W.S. 9-2-1016 and other state laws and rules governing the procurement of services by a state agency. The department shall obtain approval of all agreements from the attorney general.

(e) A person undertaking an innovative study under this section shall make available to the department all documents relating to the study for review upon request. Documents under this section containing any personally identifiable information or any trade secret shall not be subject to the Wyoming Public Records Act.

(f) The department may adopt rules to implement this section, including specifying a method of application for funding and standards for program operation.

(g) As used in this section:

(i) "Innovative study" means a randomized, controlled trial, pilot project, model or analysis conducted under scientific conditions for:

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(A) Assessing a new approach to the provision of long-term care, care of chronic diseases, early detection or other health care services which have no substantially comparable, widely available analogue in Wyoming;

(B) Testing of noninvasive diagnostic equipment. As used in this paragraph, "noninvasive" means equipment that does not cause mental or physical effects on the human body.

(ii) "Innovative study" shall not include the testing of pharmaceuticals, medical procedures or medical devices other than noninvasive diagnostic equipment.

9-2-129. Waiver of rules.

(a) The department may waive existing rules as necessary to carry out an innovative study under W.S. 9-2-128.

(b) The department shall adopt rules specifying standards for a waiver under this section.

Section 2. W.S. 9-2-101(b)(intro) is amended to read:

9-2-101. Creation; definitions; divisions.

(b) As used in ~~W.S. 9-2-101 through 9-2-108~~ this article:

Section 3. There is appropriated one million dollars (\$1,000,000.00) from the general fund to the health care innovation account created by W.S. 9-2-128 under section 1 of this act. Notwithstanding any other provision of law, this appropriation shall not be transferred or expended for any other purpose and any unexpended, unobligated funds remaining

ORIGINAL SENATE
FILE NO. SF0150

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from this appropriation shall revert as provided by law on June 30, 2022. The department of health may include an exception budget request for an appropriation to the health care innovation account for the 2021-2022 biennium.

Section 4. The report requirement in W.S. 9-2-128(c) shall not apply in the year 2019.

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the Senate.

Chief Clerk