

1 H.422

2 Introduced by Representatives Botzow of Pownal, Donahue of Northfield and
3 Fisher of Lincoln

4 Referred to Committee on

5 Date:

6 Subject: Health; Medicaid; employment; Medicaid for Working Persons with
7 Disabilities

8 Statement of purpose: This bill proposes to promote work incentives and
9 increase the stability of health coverage for individuals receiving Medicaid for
10 Working Persons with Disabilities and to make it easier for these individuals
11 and eligible spouses to receive additional services.

12 An act relating to Medicaid for Working Persons with Disabilities

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. STATE PLAN AMENDMENT; RULEMAKING

15 (a) No later than July 1, 2011, the secretary of human services shall apply
16 to the Centers for Medicare and Medicaid Services for an amendment to the
17 state Medicaid plan pursuant to 42 CFR § 430.12 to specify that the income of
18 an individual receiving Medicaid pursuant to 33 V.S.A. § 1902(b) shall be
19 disregarded in determining the eligibility of such person's spouse to receive

1 medical assistance pursuant to Title XIX (Medicaid) of the Social
2 Security Act.

3 (b) Upon approval of the state plan amendment pursuant to subsection (a)
4 of this section, the secretary of human services shall adopt rules pursuant to
5 chapter 25 of Title 3 necessary to implement the income disregard.

6 Sec. 2. TEMPORARY WORK STOPPAGE

7 The agency of human service shall adopt rules pursuant to chapter 25 of
8 Title 3 to permit an individual receiving Medicaid pursuant to 33 V.S.A.
9 § 1902(b) immediately preceding a hospitalization or period of temporary
10 unemployment to maintain his or her eligibility for Medicaid during that
11 period, provided the period of hospitalization or unemployment does not
12 exceed 90 days.

13 Sec. 3. STATE PLAN AMENDMENT

14 No later than July 1, 2011, the secretary of human services shall apply to
15 the Centers for Medicare and Medicaid Services for an amendment to the state
16 Medicaid plan pursuant to 42 CFR § 430.12 to specify that an individual's
17 enrollment in the Medicaid for Working People with Disabilities program
18 establishes his or her financial eligibility for services under the state's
19 developmental services waiver; provided that the individual shall still be
20 required to meet clinical eligibility and funding priority criteria in order to
21 receive services pursuant to the waiver.

1 Sec. 4. ANALYSIS OF COSTS AND SAVINGS

2 (a) The agency of human services, in consultation with the legislative joint
3 fiscal office, shall analyze the costs or savings associated with the following
4 options:

5 (1) Entering into an agreement with the Social Security Administration
6 in which the state pays the Medicare Part B premium for individuals enrolled
7 in the Medicaid for Working People with Disabilities program.

8 (2) Increasing or eliminating the income limits or asset limits or both for
9 eligibility for the Medicaid for Working People with Disabilities program.

10 (3) Disregarding spousal income or spousal assets or both when
11 determining eligibility for the Medicaid for Working People with Disabilities
12 program.

13 (4) Using benefits counselors at public and nonprofit organizations to
14 increase public awareness of the Medicaid for Working People with
15 Disabilities program and other work incentives for individuals with disabilities.

16 (b) No later than January 15, 2012, the secretary of human services shall
17 report to the house committees on human services and on appropriations and
18 the senate committees on health and welfare and on appropriations the results
19 of the analysis conducted pursuant to subsection (a) of this section, as well as
20 recommendations about whether and how to pursue any or all of the options
21 described in subdivisions (a)(1), (2), (3), and (4) of this section.

- 1 Sec. 5. EFFECTIVE DATE
- 2 This act shall take effect on passage.