

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 780, Page 1, Section A, Line 2, by
2 inserting immediately after said line the following:

3
4 "208.991. 1. For purposes of this section and section 208.990, the following terms mean:

5 (1) "Child" or "children", a person or persons who are under nineteen years of age;
6 (2) "CHIP-eligible children", children who meet the eligibility standards for Missouri's
7 children's health insurance program as provided in sections 208.631 to 208.658, including paying
8 the premiums required under sections 208.631 to 208.658;

9 (3) "Department", the Missouri department of social services, or a division or unit within
10 the department as designated by the department's director;

11 (4) "MAGI", the individual's modified adjusted gross income as defined in Section
12 36B(d)(2) of the Internal Revenue Code of 1986, as amended, and:

- 13 (a) Any foreign earned income or housing costs;
14 (b) Tax-exempt interest received or accrued by the individual; and
15 (c) Tax-exempt Social Security income;

16 (5) "MAGI equivalent net income standard", an income eligibility threshold based on
17 modified adjusted gross income that is not less than the income eligibility levels that were in effect
18 prior to the enactment of Public Law 111-148 and Public Law 111-152.

19 2. (1) Effective January 1, 2014, notwithstanding any other provision of law to the
20 contrary, the following individuals shall be eligible for MO HealthNet coverage as provided in this
21 section:

- 22 (a) Individuals covered by MO HealthNet for families as provided in section 208.145;
23 (b) Individuals covered by transitional MO HealthNet as provided in 42 U.S.C. Section
24 1396r-6;
25 (c) Individuals covered by extended MO HealthNet for families on child support closings as
26 provided in 42 U.S.C. Section 1396r-6;
27 (d) Pregnant women as provided in subdivisions (10), (11), and (12) of subsection 1 of
28 section 208.151;
29 (e) Children under one year of age as provided in subdivision (12) of subsection 1 of section
30 208.151;
31 (f) Children under six years of age as provided in subdivision (13) of subsection 1 of section
32 208.151;
33 (g) Children under nineteen years of age as provided in subdivision (14) of subsection 1 of
34 section 208.151;
35 (h) CHIP-eligible children; and
36 (i) Uninsured women as provided in section 208.659.

Action Taken _____ Date _____

1 (2) Effective January 1, 2014, the department shall determine eligibility for individuals
 2 eligible for MO HealthNet under subdivision (1) of this subsection based on the following income
 3 eligibility standards, unless and until they are changed:

4 (a) For individuals listed in paragraphs (a), (b), and (c) of subdivision (1) of this subsection,
 5 the department shall apply the July 16, 1996, Aid to Families with Dependent Children (AFDC)
 6 income standard as converted to the MAGI equivalent net income standard;

7 (b) For individuals listed in paragraphs (f) and (g) of subdivision (1) of this subsection, the
 8 department shall apply one hundred thirty-three percent of the federal poverty level converted to the
 9 MAGI equivalent net income standard;

10 (c) For individuals listed in paragraph (h) of subdivision (1) of this subsection, the
 11 department shall convert the income eligibility standard set forth in section 208.633 to the MAGI
 12 equivalent net income standard;

13 (d) For individuals listed in paragraphs (d), (e), and (i) of subdivision (1) of this subsection,
 14 the department shall apply one hundred eighty-five percent of the federal poverty level converted to
 15 the MAGI equivalent net income standard.

16 (3) Individuals eligible for MO HealthNet under subdivision (1) of this subsection shall
 17 receive all applicable benefits under section 208.152.

18 3. The department or appropriate divisions of the department shall promulgate rules to
 19 implement the provisions of this section. Any rule or portion of a rule, as the term is defined in
 20 section 536.010, that is created under the authority delegated in this section shall become effective
 21 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,
 22 section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested
 23 with the general assembly pursuant to chapter 536 to review, to delay the effective date or to
 24 disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
 25 authority and any rule proposed or adopted after August 28, 2013, shall be invalid and void.

26 4. Effective January 1, 2018, and subject to the receipt of appropriate waivers and approval
 27 of state plan amendments, individuals who meet the following qualifications shall be eligible for
 28 alternative benefit plans as set forth in section 208.998, subject to the other requirements of this
 29 section:

30 (a) Are nineteen years of age or older and under sixty-five years of age;

31 (b) Are not pregnant;

32 (c) Are not entitled to or enrolled for Medicare benefits under Part A or B of Title XVIII of
 33 the Social Security Act;

34 (d) Are not otherwise eligible for and enrolled in mandatory coverage under the MO
 35 HealthNet program in accordance with 42 CFR 435, Subpart B; and

36 (e) Have household income that is at or below one hundred thirty-three percent of the
 37 federal poverty level for the applicable family size for the applicable year as converted to the MAGI
 38 equivalent net income standard except the household income may be reduced by a dollar amount
 39 equivalent to five percent of the federal poverty level for the applicable family size as required
 40 under 42 U.S.C. Section 1396a(e)(14)(I)(i).

41 (2) The department shall immediately seek any necessary waivers from the federal
 42 Department of Health and Human Services to implement the provisions of this subsection. The
 43 waivers shall:

44 (a) Promote healthy behavior and reasonable requirements that patients take ownership of
 45 their health care by seeking early preventive care in appropriate settings, including no co-payments
 46 for preventive care services;

47 (b) Promote the adoption of healthier personal habits including limiting tobacco use or
 48 behaviors that lead to obesity;

1 (c) Allow recipients to receive an annual cash incentive if federal financial participation is
 2 obtained for such an incentive, or a cash equivalent if not, to promote responsible behavior and
 3 encourage efficient use of health care services;

4 (d) Allow health plans to offer a health savings account option; and

5 (e) Include a request for an enhanced federal funding rate consistent with subsection 7 of
 6 this section for newly eligible participants.

7 5. The department shall provide premium subsidy and other cost supports for individuals
 8 eligible for MO HealthNet under subsection 4 of this section to enroll in employer-provided health
 9 plans or other private health plans based on cost-effective principles determined by the department.

10 6. Effective January 1, 2018, the department shall obtain health care coverage for persons
 11 who have an income between one hundred percent and one hundred thirty-three percent of the
 12 federal poverty level for the applicable family size, for the applicable year as converted to the
 13 MAGI equivalent net income standard, who meet all other requirements of subsection 4 of this
 14 section, through a health care exchange operating in this state, whether federally facilitated, state
 15 based, or operated on a partnership basis, or an employer. The department shall ensure the
 16 participants receive the minimum services required to ensure federal reimbursement at the
 17 percentages specified in Section 2001 of Public Law 111-148. The department shall require cost
 18 sharing to the maximum extent allowed by law.

19 [4-] 7. The department shall submit such state plan amendments and waivers to the Centers
 20 for Medicare and Medicaid Services of the federal Department of Health and Human Services as the
 21 department determines are necessary to implement the provisions of this section. The department
 22 shall request of the federal government an enhanced federal funding rate for persons newly eligible
 23 under subsection 4 of this section whereby the federal government agrees to pay the percentages
 24 specified in Section 2001 of PL 111-148, as that section existed on March 23, 2010. The provisions
 25 of subsections 4 to 6 of this section shall not be implemented unless such waivers and enhanced
 26 federal funding rates are granted by the federal government.

27 208.998.1 All MO HealthNet plans under this section shall provide coverage for the
 28 following services:

29 (1) Ambulatory patient services;

30 (2) Emergency services;

31 (3) Hospitalization;

32 (4) Maternity and newborn care;

33 (5) Mental health and substance abuse treatment, including behavioral health treatment;

34 (6) Prescription drugs;

35 (7) Rehabilitative and habilitative services and devices;

36 (8) Laboratory services;

37 (9) Preventive and wellness care, and chronic disease management;

38 (10) Pediatric services, including oral and vision care; and

39 (11) Any other services required by federal law."; and

40
 41 Further amend said bill by amending the title, enacting clause, and intersectional references
 42 accordingly.