

HCS HJR 117 -- MEDICAID ELIGIBILITY AND REQUIREMENT (Smith (163))

COMMITTEE OF ORIGIN: Standing Committee on Budget

Upon voter approval, this proposed Constitutional amendment changes provisions relating to eligibility and requirements for MO HealthNet.

ELIGIBILITY DETERMINATION

The General Assembly has the right to and shall determine eligibility for MO HealthNet services pursuant to Section 36(c) of the Missouri Constitution, eligibility for individuals 19 years old or older and under 65 who qualify for MO HealthNet services under federal law and who have income at or below 138% of the federal poverty level, referred to as the "Medicaid expansion population", by appropriation. If an appropriation specifically naming this population is not made for a fiscal year, the population shall not be eligible for MO HealthNet services for that fiscal year. This amendment repeals the provision of the Constitution prohibiting any greater or additional burdens or restrictions on eligibility or enrollment standards, methodologies, or practices be placed on the Medicaid expansion population.

In any given fiscal year, any eligible population for MO HealthNet services shall be eligible only if an appropriation for that population is made in that fiscal year. Further, in any given fiscal year, any service or type of provider for which reimbursement is allowed shall be eligible for reimbursement only if an appropriation for that service or type of provider is made for that fiscal year.

RESIDENCY REQUIREMENT

Subject to approval of state plan amendments to be submitted by the Department of Social Services to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services, the state shall not provide payments, add-ons, or reimbursements to health care providers through MO HealthNet for medical assistance services provided to persons who are not state residents, as determined pursuant to 42 C.F.R. 435.403. These provisions will become effective 90 days after approval of all necessary state plan amendments.

WORK AND COMMUNITY ENGAGEMENT REQUIREMENT

Subject to approval of a work and community engagement

demonstration waiver under Section 1115 of the Social Security Act, MO HealthNet participants 19 years old or older and under 65 must comply with work and community engagement requirements, unless otherwise exempt as provided for in the amendment. These requirements include any combination of at least 80 hours each month of:

- (1) Unsubsidized or subsidized private or public sector employment;
- (2) Education, including vocational educational training, job skills training directly related to employment, education directly related to employment for individuals who have not received a high school diploma or certificate of high school equivalency, or satisfactory attendance at a secondary school;
- (3) Community service;
- (4) Job search and job readiness assistance;
- (5) Provision of child care services to an individual who is participating in a community service program; or
- (6) Participation in a substance abuse treatment program.

A participant who is also a participant of the Temporary Assistance for Needy Families Program (TANF) or the Supplemental Nutrition Assistance Program (SNAP) that satisfies work requirements related to those programs shall be deemed to have satisfied the work and community engagement requirements.

The Department of Social Services may permit further exemptions from these requirements in areas of high unemployment, areas with limited economic or educational opportunities, areas that lack public transportation, or otherwise for good cause. The Department shall provide reasonable accommodations, as described in the bill, for participants with disabilities as defined by the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, or Section 1557 of the Patient Protection and Affordable Care Act.

The Department of Social Services shall annually seek the work and community engagement demonstration waiver until granted and any subsequent renewal and extensions from the United States Department of Health and Human Services necessary to implement these work and community engagement provisions.