

AMENDMENT

OFFERED IN THE HOUSE

BY REPRESENTATIVE TALERICO

TO: HB 148

1 Page 7, following line 1:

2 Insert a new bill section to read:

3 **\*\* Sec. 7.** AS 47.07.020(b), as amended by sec. 6 of this Act, is amended to read:

4 (b) In addition to the persons specified in (a) of this section, the following  
5 optional groups of persons for whom the state may claim federal financial  
6 participation are eligible for medical assistance:

7 (1) persons eligible for but not receiving assistance under any plan of  
8 the state approved under 42 U.S.C. 1381 - 1383c (Title XVI, Social Security Act,  
9 Supplemental Security Income) or a federal program designated as the successor to the  
10 aid to families with dependent children program;

11 (2) persons in a general hospital, skilled nursing facility, or  
12 intermediate care facility, who, if they left the facility, would be eligible for assistance  
13 under one of the federal programs specified in (1) of this subsection;

14 (3) persons under 21 years of age who are under supervision of the  
15 department, for whom maintenance is being paid in whole or in part from public  
16 funds, and who are in foster homes or private child-care institutions;

17 (4) aged, blind, or disabled persons, who, because they do not meet  
18 income and resources requirements, do not receive supplemental security income  
19 under 42 U.S.C. 1381 - 1383c (Title XVI, Social Security Act), and who do not  
20 receive a mandatory state supplement, but who are eligible, or would be eligible if  
21 they were not in a skilled nursing facility or intermediate care facility to receive an  
22 optional state supplementary payment;

23 (5) persons under 21 years of age who are in an institution designated

1 as an intermediate care facility for persons with intellectual and developmental  
2 disabilities and who are financially eligible as determined by the standards of the  
3 federal program designated as the successor to the aid to families with dependent  
4 children program;

5 (6) persons in a medical or intermediate care facility whose income  
6 while in the facility does not exceed 300 percent of the supplemental security income  
7 benefit rate under 42 U.S.C. 1381 - 1383c (Title XVI, Social Security Act) but who  
8 would not be eligible for an optional state supplementary payment if they left the  
9 hospital or other facility;

10 (7) persons under 21 years of age who are receiving active treatment in  
11 a psychiatric hospital and who are financially eligible as determined by the standards  
12 of the federal program designated as the successor to the aid to families with  
13 dependent children program;

14 (8) persons under 21 years of age and not covered under (a) of this  
15 section, who would be eligible for benefits under the federal program designated as  
16 the successor to the aid to families with dependent children program, except that they  
17 do not meet the deprivation criteria under 42 U.S.C. 1396u-1(b)(1)(a)(ii);

18 (9) pregnant women not covered under (a) of this section and who meet  
19 the income and resource requirements of the federal program designated as the  
20 successor to the aid to families with dependent children program;

21 (10) persons under 21 years of age not covered under (a) of this section  
22 who the department has determined cannot be placed for adoption without medical  
23 assistance because of a special need for medical or rehabilitative care and who the  
24 department has determined are hard-to-place children eligible for subsidy under  
25 AS 25.23.190 - 25.23.210;

26 (11) persons who can be considered under 42 U.S.C. 1396a(e)(3) (Title  
27 XIX, Social Security Act, Medical Assistance) to be individuals with respect to whom  
28 a supplemental security income is being paid under 42 U.S.C. 1381 - 1383c (Title  
29 XVI, Social Security Act) because they meet all of the following criteria:

30 (A) they are 18 years of age or younger and qualify as disabled  
31 individuals under 42 U.S.C. 1382c(a) (Title XVI, Social Security Act);

1 (B) the department has determined that

2 (i) they require a level of care provided in a hospital,  
3 nursing facility, or intermediate care facility for persons with  
4 intellectual and developmental disabilities;

5 (ii) it is appropriate to provide their care outside of an  
6 institution; and

7 (iii) the estimated amount that would be spent for  
8 medical assistance for their individual care outside an institution is not  
9 greater than the estimated amount that would otherwise be expended  
10 individually for medical assistance within an appropriate institution;

11 (C) if they were in a medical institution, they would be eligible  
12 for medical assistance under other provisions of this chapter; and

13 (D) home and community-based services under a waiver  
14 approved by the federal government are either not available to them under this  
15 chapter or would be inappropriate for them;

16 (12) disabled persons, as described in 42 U.S.C.  
17 1396a(a)(10)(A)(ii)(XIII), who are in families whose income, as determined under  
18 applicable federal regulations or guidelines, is less than 250 percent of the official  
19 poverty line applicable to a family of that size according to the United States  
20 Department of Health and Human Services, and who, but for earnings in excess of the  
21 limit established under 42 U.S.C. 1396d(q)(2)(B), would be considered to be  
22 individuals with respect to whom a supplemental security income is being paid under  
23 42 U.S.C. 1381 - 1383c; a person eligible for assistance under this paragraph who is  
24 not eligible under another provision of this section shall pay a premium or other cost-  
25 sharing charges according to a sliding fee scale that is based on income as established  
26 by the department in regulations;

27 (13) persons under 19 years of age who are not covered under (a) of  
28 this section and whose household income does not exceed 203 percent of the federal  
29 poverty line as defined by the United States Department of Health and Human  
30 Services and revised under 42 U.S.C. 9902(2);

31 (14) pregnant women who are not covered under (a) of this section and

1 whose household income does not exceed 200 percent of the federal poverty line as  
2 defined by the United States Department of Health and Human Services and revised  
3 under 42 U.S.C. 9902(2);

4 (15) persons who have been diagnosed with breast or cervical cancer  
5 and who are eligible for coverage under 42 U.S.C. 1396a(a)(10)(A)(ii)(XVIII) [;

6 (16) PERSONS WHO ARE UNDER 65 YEARS OF AGE, WHO ARE  
7 NOT PREGNANT, WHOSE HOUSEHOLD INCOME DOES NOT EXCEED 138  
8 PERCENT OF THE FEDERAL POVERTY LINE, INCLUDING THE FIVE  
9 PERCENT INCOME DISREGARD, AS DEFINED BY THE UNITED STATES  
10 DEPARTMENT OF HEALTH AND HUMAN SERVICES AND REVISED UNDER  
11 42 U.S.C. 9902(2), AND WHO ARE ELIGIBLE UNDER 42 U.S.C.  
12 1396A(a)(10)(A)(i)(VIII), IF THE FEDERAL MEDICAL ASSISTANCE  
13 PERCENTAGE PAID TO THE STATE FOR THE COVERAGE IS NOT LESS  
14 THAN 90 PERCENT]."

15  
16 Renumber the following bill sections accordingly.

17  
18 Page 9, following line 3:

19 Insert a new bill section to read:

20 **"\* Sec. 14. AS 43.23.075(d) is repealed July 1, 2018."**

21  
22 Renumber the following bill sections accordingly.

23  
24 Page 9, line 12:

25 Delete "sec. 10"

26 Insert "sec. 11"

27  
28 Page 9, line 17:

29 Delete "10"

30 Insert "11"

31

1 Page 9, line 23:

2 Delete "Sections 13 and 14"

3 Insert "Sections 15 - 17"

4

5 Page 9, following line 23:

6 Insert a new bill section to read:

7 **"\* Sec. 19.** Section 7 of this Act takes effect July 1, 2018."

8

9 Renumber the following bill section accordingly.

10

11 Page 9, line 24:

12 Delete "by sec. 16"

13 Insert "in secs. 18 and 19"