

AMENDMENT # 1

OFFERED IN THE HOUSE
TO: SB 58

BY REPRESENTATIVE STAPP

1 Page 1, following line 4:

2 Insert a new bill section to read:

3 **"* Section 1.** AS 47.07.020(b) 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 have the care and support of both their natural and adoptive parents;

18 (9) pregnant women not covered under (a) of this section and who
19 meet 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 175 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 225 [175] percent of the federal poverty line
2 as 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

7 Page 1, line 5:

8 Delete "**Section 1**"

9 Insert "**Sec. 2**"

10
11 Renumber the following bill sections accordingly.

12
13 Page 1, line 13, following "AS 47.07.040":

14 Insert "to raise the maximum household income level relative to the federal poverty
15 line for pregnant women to be eligible for medical assistance and"
16

17 Page 2, line 3:

18 Delete "Section 1 of this Act takes"

19 Insert "Sections 1 and 2 of this Act take"
20

21 Page 2, line 5:

22 Delete "sec. 2"

23 Insert "sec. 3"
24

25 Page 2, line 9:

26 Delete "If sec. 1 of this Act takes effect, it takes"

27 Insert "If secs. 1 and 2 of this Act take effect, they take"
28

29 Page 2, line 10:

30 Delete "sec. 3"

31 Insert "sec. 4"