

HOUSE BILL NO. 219

IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-NINTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE HAWKER

Introduced: 1/19/16

Referred: Health and Social Services, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to eligibility for medical assistance; relating to the medical assistance**
2 **program; and providing for an effective date."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 47.05.200 is amended by adding a new subsection to read:

5 (f) By September 30 of each year, the department shall provide to the
6 secretary of the senate and the chief clerk of the house of representatives for
7 distribution to the legislature a report on utilization, costs, savings, and administrative
8 expenditures associated with medical assistance coverage provided to enrollees
9 eligible under 42 U.S.C. 1396a(a)(10)(A)(i)(VIII). The report must include for
10 enrollees eligible under 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) in the previous fiscal year

11 (1) the number of enrollees;

12 (2) the source and amount of general fund savings as a result of the
13 coverage of the enrollees;

14 (3) total expenditures for medical services for enrollees and fund

1 sources for the expenditures;

2 (4) total administration costs for the enrollees and the fund source for
3 each administrative cost;

4 (5) the cumulative net general fund savings resulting from the
5 coverage of the enrollees for fiscal year 2016 through the fiscal year preceding the
6 year when the report is submitted.

7 * **Sec. 2.** AS 47.07.020(a) is amended to read:

8 (a) **Except as provided in this subsection, all** [ALL] residents of the state for
9 whom the Social Security Act requires Medicaid coverage are eligible to receive
10 medical assistance under 42 U.S.C. 1396 - 1396p (Title XIX, Social Security Act).
11 **Individuals described under 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) are eligible to**
12 **receive medical assistance only if the federal medical assistance percentage paid**
13 **to the state for the coverage is not less than 90 percent.**

14 * **Sec. 3.** AS 47.07.020(a), as amended by sec. 2 of this Act, is amended to read:

15 (a) Except **for individuals described under 42 U.S.C.**
16 **1396a(a)(10)(A)(i)(VIII)** [AS PROVIDED IN THIS SUBSECTION], all residents of
17 the state for whom the Social Security Act requires Medicaid coverage are eligible to
18 receive medical assistance under 42 U.S.C. 1396 - 1396p (Title XIX, Social Security
19 Act). [INDIVIDUALS DESCRIBED UNDER 42 U.S.C. 1396a(a)(10)(A)(i)(VIII)
20 ARE ELIGIBLE TO RECEIVE MEDICAL ASSISTANCE ONLY IF THE
21 FEDERAL MEDICAL ASSISTANCE PERCENTAGE PAID TO THE STATE FOR
22 THE COVERAGE IS NOT LESS THAN 90 PERCENT.]

23 * **Sec. 4.** AS 47.05.200(f) is repealed June 30, 2022.

24 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
25 read:

26 MEDICAID STATE PLAN; WAIVERS; INSTRUCTIONS. The Department of
27 Health and Social Services shall amend and submit for federal approval a state plan for
28 medical assistance coverage consistent with this Act. The Department of Health and Social
29 Services shall apply to the United States Department of Health and Human Services for any
30 waivers necessary to implement this Act.

31 * **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to

1 read:

2 NOTIFICATION BY THE COMMISSIONER OF HEALTH AND SOCIAL
3 SERVICES OF MEDICAL ASSISTANCE PROGRAM EVENTS. The commissioner of
4 health and social services shall immediately notify the presiding officers of each house of the
5 legislature and the revisor of statutes in writing of the first occurrence before January 1, 2022,
6 of any one of the following events:

7 (1) the state does not possess a valid federal certification of the Medicaid
8 Management Information System in current use;

9 (2) the federal medical assistance percentage is reduced for the medical
10 assistance enrollees eligible under 42 U.S.C. 1396a(a)(10)(A)(i)(VIII), from one or more of
11 the following percentages for the calendar years:

12 (A) 2015 - 2016, 100 percent;

13 (B) 2017, 95 percent;

14 (C) 2018, 94 percent;

15 (D) 2019, 93 percent; or

16 (E) 2020 - 2021, 90 percent;

17 (3) enrollment of individuals eligible under 42 U.S.C.
18 1396a(a)(10)(A)(i)(VIII), as reported in the annual report required under AS 47.05.200(f),
19 added by sec. 1 of this Act, exceeds one or more of the following projected enrollment
20 numbers:

21 (A) for fiscal year 2016, 22,073;

22 (B) for fiscal year 2017, 25,600;

23 (C) for fiscal year 2018, 29,141;

24 (D) for fiscal year 2019, 29,189;

25 (E) for fiscal year 2020, 29,238; or

26 (F) for fiscal year 2021, 29,285;

27 (4) cumulative net general fund savings for fiscal year 2016 through the fiscal
28 year preceding the year when an annual report is submitted as required under
29 AS 47.05.200(f), added by sec. 1 of this Act, fail to meet or exceed one or more of the
30 following projected thresholds:

31 (A) for fiscal year 2016, \$8,443,000;

- 1 (B) for fiscal years 2016 - 2017, \$16,132,000;
 2 (C) for fiscal years 2016 - 2018, \$45,872,000;
 3 (D) for fiscal years 2016 - 2019, \$75,150,000;
 4 (E) for fiscal years 2016 - 2020, \$73,704,000; or
 5 (F) for fiscal years 2016 - 2021, \$98,256,000.

6 * **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to
 7 read:

8 **CONDITIONAL EFFECT.** (a) Sections 1, 2, 4, and 6 of this Act take effect only if the
 9 commissioner of health and social services certifies to the presiding officers of each house of
 10 the legislature and the revisor of statutes, on or before January 1, 2022, that a state plan for
 11 medical assistance coverage consistent with AS 47.07.020(a), as amended by sec. 2 of this
 12 Act, and all of the provisions of sec. 6 of this Act and this section have been approved by the
 13 United States Department of Health and Human Services as provided in sec. 5 of this Act.

14 (b) Section 3 of this Act takes effect only if the presiding officers of each house of the
 15 legislature and the revisor of statutes are notified on or before January 1, 2022, of an
 16 occurrence of an event specified under sec. 6 of this Act.

17 * **Sec. 8.** If AS 47.05.200(f), added by sec. 1 of this Act, AS 47.07.020(a), as amended by
 18 sec. 2 of this Act, and secs. 4 and 6 of this Act take effect, they take effect on the day after the
 19 date the commissioner of health and social services certifies as required by sec. 7(a) of this
 20 Act to the presiding officers of each house of the legislature and the revisor of statutes that a
 21 state plan for medical assistance coverage consistent with AS 47.07.020(a), as amended by
 22 sec. 2 of this Act, and the provisions of secs. 6 and 7 of this Act have been approved by the
 23 United States Department of Health and Human Services.

24 * **Sec. 9.** Sections 5 and 7 of this Act take effect immediately under AS 01.10.070(c).

25 * **Sec. 10.** If sec. 3 of this Act takes effect under sec. 7(b) of this Act, it takes effect on the
 26 last day of the regular legislative session in which notification is received or, if notification is
 27 received when the legislature is not convened in a regular legislative session, the last day of
 28 the next regular legislative session following notification.