

1 IN THE HOUSE

BY MENARD

2

SPONSOR SUBSITUTE FOR HOUSE BILL NO. 462

3

IN THE LEGISLATURE OF THE STATE OF ALASKA

4

FIFTEENTH LEGISLATURE - SECOND SESSION

5

A BILL

6

For an Act entitled: "An Act relating to coverage of medically needy
7 persons under medicaid; and reordering the priority
8 for the elimination of coverage for optional medical
9 services under medicaid."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 * Section 1. AS 47.07.020(b) is amended to read:

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(b) In addition to the persons specified in (a) of this section,

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the following optional groups of persons for whom the state may claim
14 federal financial participation are eligible for medical assistance:

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(1) persons eligible for but not receiving assistance under

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any plan of the state approved under 42 U.S.C. 601 - 615 (Title IV-A,

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Social Security Act, Aid to Families with Dependent Children) or 42

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U.S.C. 1381 - 1383c (Title XVI, Social Security Act, Supplemental

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Security Income);

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(2) persons in a general hospital, skilled nursing facility

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or intermediate care facility, who, if they left the facility, would

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be eligible for assistance under one of the federal programs specified

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in (1) of this subsection;

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(3) persons under age 21 who are under supervision of the

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department, for whom maintenance is being paid in whole or in part

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from public funds, and who are in foster homes or private child-care

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institutions;

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(4) aged, blind, or disabled persons, who, because they do

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not meet income and resources requirements, do not receive

1 supplemental security income under 42 U.S.C. 1381 - 1383c (Title XVI,
2 Social Security Act), and who do not receive a mandatory state supple-
3 ment, but who are eligible, or would be eligible if they were not in a
4 skilled nursing facility or intermediate care facility to receive an
5 optional state supplementary payment;

6 (5) persons under age 21 who are in an institution desig-
7 nated as an intermediate care facility for the mentally retarded and
8 who are financially eligible as determined by the standards of the
9 federal aid to families with dependent children program;

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

16 (7) persons under age 21 who are receiving active treatment
17 in a psychiatric hospital and who are financially eligible as deter-
18 mined by the standards of 42 U.S.C. 601 - 615 (Title IV-A, Social
19 Security Act, Aid to Families with Dependent Children);

20 (8) persons under age 21 and not covered under (a) of this
21 section, who would be eligible for benefits under the federal aid to
22 families with dependent children program, except that they have the
23 care and support of both their natural and adoptive parents;

24 (9) pregnant women not covered under (a) of this section
25 and who meet the income and resource requirements of the federal aid
26 to families with dependent children program;

27 (10) persons who meet the income standard for the medically
28 needy and the resource standard for the supplemental security income
29 program, and who are

- 1 (A) pregnant;
2 (B) under age 21; or
3 (C) aged, blind, or disabled, but not institutional-
4 ized.

5 * Sec. 2. AS 47.07.035 is amended to read:

6 Sec. 47.07.035. PRIORITY OF MEDICAL ASSISTANCE. If the depart-
7 ment finds that the cost of medical assistance for all persons eligi-
8 ble under this chapter will exceed the amount allocated in the state
9 budget for that assistance for the fiscal year, the department shall
10 eliminate coverage for optional medical services and optionally eli-
11 gible groups of individuals in the following order:

- 12 (1) chiropractic services;
13 (2) adult dental services;
14 (3) emergency hospital services;
15 (4) treatment of speech, hearing, and language disorders;
16 (5) optometrists' services and eyeglasses;
17 (6) occupational therapy;
18 (7) prosthetic devices;
19 (8) medical supplies and equipment;
20 (9) clinic services;
21 (10) physical therapy;
22 (11) personal care services in a recipient's home;
23 (12) long-term care noninstitutional services;
24 (13) inpatient psychiatric facility services;
25 (14) intermediate care facility services for the mentally
26 retarded;
27 (15) intermediate care facility services;
28 (16) persons who meet the income standard for the medically
29 needy and the resource standard for the supplemental security income

1 program, and who are

2 (A) pregnant;

3 (B) under age 21; or

4 (C) aged, blind, or disabled, but not institutional-
5 ized;

6 (17) individuals under age 21 who are not eligible for
7 benefits under the federal aid to families with dependent children
8 program because they are not deprived of one or more of their natural
9 or adoptive parents;

10 (18) [(17)] skilled nursing facility services for persons
11 under age 21;

12 (19) [(18)] aged, blind, and disabled individuals who,
13 because they do not meet the income requirements, do not receive
14 supplemental security income under Title XVI of the Social Security
15 Act, but who are eligible, or would be eligible if they were not in a
16 skilled nursing facility or intermediate care facility, to receive an
17 optional state supplementary payment;

18 (20) [(19)] individuals in a hospital, skilled nursing
19 facility, or intermediate care facility whose income while in the
20 facility does not exceed 300 percent of the supplemental security
21 income benefit rate under Title XVI of the Social Security Act, but
22 who, because of income, are not eligible for the optional state sup-
23 plementary payment;

24 (21) [(20)] individuals under age 21 under supervision of
25 the department, for whom maintenance is being paid in whole or in part
26 from public money and who are in foster homes or private child-care
27 institutions.