

SENATE JOINT RESOLUTION NO. 128

Requesting the Department of Medical Assistance Services, in collaboration with the Department of Rehabilitative Services and the Department for the Rights of Virginians with Disabilities, to proceed with the development of Medicaid Buy-In opportunity for working Virginians with disabilities.

Agreed to by the Senate, February 4, 2002
 Agreed to by the House of Delegates, March 5, 2002

WHEREAS, the Department of Medical Assistance Services has recently been awarded a Medicaid Infrastructure Grant from the Centers for Medicare and Medicaid Services for \$2,000,000 (\$500,000 over the next four years) to provide resources to the Commonwealth to identify the barriers to employment for individuals with disabilities; and

WHEREAS, health care is important to all Americans, but particularly so to individuals with disabilities who have special health care needs who often cannot afford insurance available to them through the private market, are uninsurable by the plans available in the private sector and are at risk of incurring high and economically devastating health care costs; and

WHEREAS, health care services allow Americans with significant disabilities to live independently and rejoin the workforce; and

WHEREAS, coverage for many of these services, as well as for prescription drugs and durable medical equipment, enables persons with disabilities to obtain and retain employment; and

WHEREAS, the fear of losing health care and related services is one of the greatest barriers keeping individuals with disabilities from maximizing their employment, earning potential and independence; and

WHEREAS, despite the many opportunities for employment made possible by the Americans with Disabilities Act and innovations in technology, medical treatment, and rehabilitation, fewer than one-half of one percent of Social Security Disability Insurance and Supplemental Security Income beneficiaries leave the disability rolls and return to work; and

WHEREAS, Congress enacted the "Ticket to Work and Work Incentives Improvement Act of 1999" to amend the Social Security Act to, among other things, expand the availability of health care coverage for working individuals with disabilities and to provide such individuals with meaningful opportunities to work; and

WHEREAS, the purposes of the Act are to (i) provide health care and employment preparation and placement services to individuals with disabilities that will enable those individuals to reduce their dependency on cash benefit programs; (ii) encourage states to adopt the option of allowing individuals with disabilities to purchase Medicaid coverage that is necessary to enable such individuals to maintain employment; (iii) provide individuals with disabilities the option of maintaining Medicare coverage while working; and (iv) establish a return to work ticket program that will allow individuals with disabilities to seek the services necessary to obtain and retain employment and reduce their dependency; and

WHEREAS, in order to evaluate the feasibility of implementation of a Medicaid Buy-In program that supports working persons with disabilities within the Commonwealth, it is imperative that certain research be conducted to survey potential recipients, educate stakeholders, and assess employment barriers; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Department of Medical Assistance Services, in collaboration with the Department of Rehabilitative Services and the Department for the Rights of Virginians with Disabilities be requested to proceed with the development of Medicaid Buy-In opportunity for working Virginians with disabilities.

In developing the opportunity, the Department of Medical Assistance Services shall utilize the Medicaid Infrastructure grant to identify the steps needed to implement an effective Medicaid Buy-In Program for Virginia, with the goal of utilizing data to develop initial legislation and budgetary recommendations that will be necessary to implement the Buy-In. Specifically, the Department shall use the Medicaid Infrastructure grant to survey potential population, delineate financing for the program, and assess the cost-effectiveness, availability of funding, and economic benefits, in order to make recommendations as to the effective implementation of a Medicaid Buy-In program for the Commonwealth under the federal "Ticket to Work and Work Incentives Improvement Act of 1999."

The Department of Medical Assistance Services shall seek the participation of the Department for the Blind and Vision Impaired, the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Department for the Deaf and Hard-of-Hearing, the Virginia Board for People with Disabilities, and establish an advisory committee of consumers, advocates, and stakeholders. During its examination, the Department of Medical Assistance Services shall solicit the input from stakeholders,

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disability advocates, business employers, and others deemed to have valuable information for the benefit of the study, including the Business Leadership Forum with the purpose of unveiling the Buy-In as an economic and workforce opportunity for business.

All agencies of the Commonwealth shall provide assistance to the Department for this study, upon request.

The Department shall complete its work by November 30, 2002, and shall submit its written findings and recommendations to the Disability Commission, the Governor and the 2003 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.