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HOUSE BILL NO. 673

Offered January 10, 2018

Prefiled January 9, 2018

A *BILL to amend the Code of Virginia by adding in Chapter 10 of Title 32.1 an article numbered 5, consisting of a section numbered 32.1-331.18, relating to the Transitional Medical Assistance Services Program.*

Patrons—Davis and Fowler

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 10 of Title 32.1 an article numbered 5, consisting of a section numbered 32.1-331.18, as follows:

*Article 5.**Transitional Medical Assistance Services Program.*

§ 32.1-331.18. Transitional Medical Assistance Services Program established; purpose; eligibility; personal contribution required.

A. The Transitional Medical Assistance Services Program (the Program) is hereby established to provide medical assistance services to individuals transitioning from the Commonwealth's program for medical assistance services pursuant to Title XIX of the Social Security Act to self-sufficiency. Participants in the Program shall be eligible to receive medical assistance services described in the state plan for medical assistance services prepared in accordance with § 32.1-325, provided that they meet the eligibility criteria set forth in subsection B and comply with the premium payment requirements described in subsection D.

B. A person shall be eligible for the Program if:

1. He was enrolled in the Commonwealth's program for medical assistance services established pursuant to § 32.1-325 immediately prior to becoming eligible for the Program;

2. He continues to meet the nonfinancial eligibility requirements for participation in the Commonwealth's program of medical assistance services established pursuant to § 32.1-325; and

3. His household income exceeds the income limit for a household the size of the individual's household for financial eligibility for the Commonwealth's program for medical assistance services but is less than or equal to 200 percent of the federal poverty level for a household of such size.

C. No person who is eligible for employer-sponsored health insurance either for himself or as a dependent or family member of a covered person shall be eligible to participate in the Program, unless participation in the available employer-sponsored health insurance would constitute a financial hardship. The Board shall establish criteria and a process for determining whether participation in employer-sponsored health insurance would constitute a financial hardship.

D. Except as provided in subsection E, participants in the Program shall pay an annual premium in an amount equal to 20 percent of the difference between the amount of the income limit for eligibility for the Commonwealth's program for medical assistance services for such individual and the amount of the individual's household income. Premiums shall be billed in 12 equal monthly payments. Failure to make a premium payment within 60 days of the payment due date shall result in the termination of coverage under the Program unless the individual demonstrates that he is exempt from the premium payment requirement pursuant to subsection E prior to the expiration of the 60-day period. An individual who becomes ineligible for participation in the Program pursuant to this subsection may become eligible and may reenroll in the Program if he continues to meet all eligibility criteria and he pays the total amount of unpaid premiums owed.

E. The premium payment requirement set forth in subsection D shall not apply if an individual can demonstrate that payment of the premium required would constitute a financial hardship. The Board shall establish criteria and a process for determining whether payment of the required premium would constitute a financial hardship.

F. The Board shall adopt regulations implementing the provisions of this section.

2. That the Secretary of Health and Human Services shall develop a plan for the implementation of the Transitional Medical Assistance Services Program (the Program) and shall submit such plan to the Chairmen of the House Appropriations Committee, House Committee on Health, Welfare and Institutions, Senate Finance Committee, and Senate Committee on Education and Health by December 1, 2018. Such report shall include a strategy for obtaining federal approval of and federal funding for the Program and an analysis of the fiscal impact of the Program on the

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59 Commonwealth.

60 3. That the provisions of the first enactment of this act shall become effective on July 1, 2019.