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HOUSE BILL NO. 338

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Appropriations

on February 9, 2018)

(Patron Prior to Substitute—Delegate Miyares)

A BILL to require the Department of Medical Assistance Services to apply for a waiver to implement the Training, Education, Employment, and Opportunity Program for able-bodied adult recipients of medical assistance services.

Be it enacted by the General Assembly of Virginia:

1. *§ 1. That the Department of Medical Assistance Services shall prepare and submit to the Centers for Medicare and Medicaid Services an application for a waiver, pursuant to § 1115 of the Social Security Act, 42 U.S.C. § 1315, to allow the Commonwealth to implement the Training, Education, Employment, and Opportunity Program (the Program) for able-bodied, working-age adults to enable enrollees to improve their health and well-being through training, education, employment and other community engagement opportunities leading to self-sufficiency. The waiver establishing the Program shall include:*

1. A requirement that every able-bodied, working-age adult enrolled in the Medicaid program shall participate in the Program. The requirement for participation in the Program shall not apply to children under the age of 18 or individuals under the age of 19 who are participating in secondary education; individuals age 65 years and older; individuals who qualify for medical assistance services due to blindness or disability, including individuals who receive services pursuant to a § 1915 waiver; individuals residing in institutions; individuals determined to be medically frail; individuals diagnosed with serious mental illness; pregnant and postpartum women; former foster children under the age of 26; and individuals who are the primary caregiver for a dependent, including a dependent child or adult dependent with a disability;

2. Requirements for gradually escalating participation in training, education, employment, and community engagement opportunities through the Program, as follows:

a. Beginning three months after enrollment, at least five hours per week;

b. Beginning six months after enrollment, at least 10 hours per week;

c. Beginning nine months after enrollment, at least 15 hours per week; and

d. Beginning 12 months after enrollment, at least 20 hours per week; and

3. Provisions for satisfaction of the requirement for participation in training, education, employment, and community engagement opportunities through participation in job skills training; job search activities; education related to employment; general education, including participation in a program of preparation for the General Education Development (GED) certification examination or community college courses leading to industry certifications or a STEM-H related degree or credential; vocational education and training; subsidized or unsubsidized employment; community work experience; community service or public service; or caregiving services for a nondependent relative or other person with a chronic, disabling health condition. The Department of Medical Assistance Services may waive the requirement for participation in employment in areas of the Commonwealth with unemployment rates equal to or greater than 150 percent of the statewide average; however, the requirement for participation in training, education, and other community engagement opportunities shall not be waived in any area of the Commonwealth.

The Program shall work with Virginia Workforce Centers or One-Stops to provide services to Program enrollees. Such services shall include career services for Program enrollees, services to link Program enrollees with industry certification and credentialing programs, including the New Economy Workforce Credential Grant Program, and individualized case management services. The Program shall, to the extent allowed under federal law, utilize federal and state funding available through the Temporary Assistance for Needy Families program, the Supplemental Nutrition Assistance Program, the Workforce Investment Act, and other state and federal workforce development programs to support Program enrollees.

2. That the Director of the Department of Medical Assistance Services shall report by December 1, 2018, to the Governor and the General Assembly on the status of the waiver application required pursuant to the first enactment of this act.

3. That the Governor's Chief Workforce Development Advisor shall, in cooperation with the Secretaries of Commerce and Trade, Education, and Health and Human Resources, convene a workgroup to identify sources of federal and state workforce development funding and coordinate the delivery of educational and training programs to connect Training, Education, Employment, and Opportunity Program enrollees with educational opportunities, opportunities to develop critical vocational skills, and job training that will lead to employment.

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