

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act relating to the development of a Medicaid Buy-In Program for Virginia.*

3 [H 1822]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**

6 **1.** *§ 1. The Department of Medical Assistance Services shall seek a waiver pursuant to § 1115 of the*  
7 *Social Security Act (42 U.S.C. § 1315) from the Centers for Medicaid and Medicare Services to*  
8 *establish a Medicaid Buy-In Program. The Medicaid Buy-In Program shall be for those working persons*  
9 *with disabilities whose earnings are too high to qualify for traditional Medicaid. Eligible individuals*  
10 *shall include those with income not in excess of 175 percent of the federal poverty level as determined*  
11 *by the United States Department of Health and Human Services. The waiver enrollment for the first year*  
12 *of such program shall be limited to an enrollment of 200 individuals. In addition, the Department of*  
13 *Medical Assistance Services shall seek authorization in the waiver for earned and unearned income*  
14 *requirements.*

15 *Except for the requirement that the Department of Medical Assistance Services seek a waiver*  
16 *pursuant to § 1115 of the Social Security Act (42 U.S.C. § 1315), the provisions of this act providing*  
17 *benefits under a Medicaid Buy-In Program shall not become effective until (i) the Department of*  
18 *Medical Assistance Services receives a waiver pursuant to § 1115 of the Social Security Act from the*  
19 *Centers for Medicaid and Medicare Services to establish such program and (ii) an appropriation of*  
20 *moneys effectuating benefits under such program is included in a general appropriation act passed*  
21 *during a regular session of the General Assembly. The waiver proposal described herein shall be*  
22 *developed by October 1, 2003, and presented to the Governor and the Disability Commission by*  
23 *October 15, 2003, in order that the fiscal impact of such Medicaid Buy-In Program can be considered*  
24 *in the development of the 2004-2006 biennial budget.*

ENROLLED

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