

# VIRGINIA ACTS OF ASSEMBLY -- 1996 SESSION

## CHAPTER 195

*An Act to amend and reenact § 32.1-330.1 of the Code of Virginia and to repeal the second enactment of Chapter 200 of the 1994 Acts of Assembly, relating to medical assistance services; premium assistance program for HIV-positive individuals.*

[H 1148]

Approved March 11, 1996

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

**1. That § 32.1-330.1 of the Code of Virginia is amended and reenacted as follows:**

§ 32.1-330.1. Department to implement premium assistance program for HIV-positive individuals.

The Board of Medical Assistance Services shall ~~solely~~ from funds eligible for this purpose from Title II of the Ryan White Comprehensive AIDS Resources Emergency CARE Act (42 U.S.C. § 300ff-21 et seq.) *or other funds appropriated or made available to this purpose*, implement, and may promulgate any necessary regulations for implementation of, a premium assistance program for HIV-positive individuals which shall have, at minimum, the following characteristics:

1. Payment of health insurance premiums for individuals who are not eligible for Medicaid and who can document (i) HIV infection and inability to continue working for medical reasons and (ii) eligibility to continue their employer's group policy pursuant to the Consolidated Omnibus Budget Reconciliation Act of 1985;

2. Financial eligibility criteria allowing a maximum income of no more than 200 percent of the federal poverty guidelines and countable liquid assets of no more than \$10,000 in value;

3. Funds eligible under Title II of the Ryan White CARE Act shall not be used toward copayments and deductible payments; and

4. Coverage of family members, if the HIV-infected person's policy is the sole source of health insurance.

~~Upon the conclusion of one year of operation, the Board shall evaluate and shall report to the Governor and the General Assembly by January 1, 1996, on the effects of this program, including, but not limited to, the cost, utilization, and cost-avoidance.~~

**2. That the second enactment of Chapter 200 of the 1994 Acts of Assembly is repealed.**