2025 -- S 0488

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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RELATING TO HUMAN SERVICES -- RHODE ISLAND MEDICAID ELIGIBILITY DETERMINATION ACT

Introduced By: Senators Bell, Ujifusa, Thompson, Quezada, Ciccone, Mack, Kallman, Burke, Euer, and Valverde

Date Introduced: February 26, 2025

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1   SECTION 1. Title 40 of the General Laws entitled "HUMAN SERVICES" is hereby

2   amended by adding thereto the following chapter:

3   CHAPTER 23

4   RHODE ISLAND MEDICAID ELIGIBILITY DETERMINATION ACT

5   **40-23-1. Short title.**

6   This chapter shall be known and may be cited as the "Rhode Island Medicaid Eligibility

7   Determination Act."

8   **40-23-2. Definitions.**

9   For the purposes of this chapter, the following words and terms have the following

10   meanings:

11   (1) "Decision to terminate" shall mean the entire process of deciding to remove an

12   individual from enrollment in Medicaid or request information from an individual when the failure

13   to respond within a set timeframe will remove the individual from enrollment in Medicaid.

14   (2) "Private entity data" means any data purchased from private entities or involving wage,

15   address, or other eligibility-related data collected by a private entity, such as data reported by

16   employers to a private entity.

17   (3) "Public assistance reporting information system" or "PARIS" means a federal-state

18   partnership that facilitates the sharing of data between states to identify individuals who may be

1   receiving benefits in multiple states.

2   (4) "Public data sources" means any data collected, maintained, or controlled by a state or

3   federal government entity or agency, including, but not limited to, SWICA, PARIS, and other state-

4   administered databases.

5   (5) "State wage information collection agency date" or "SWICA data" means the data from

6   the Rhode Island department of labor and training that collects wage and employment data for

7   unemployment insurance purposes and provides data on individuals' earnings.

8   (6) "Terminate" shall mean to make a decision to terminate.

9   (7) "Termination" shall mean a removal from Medicaid enrollment as a result of a decision

10   to terminate.

11   (8) "Termination decision" shall mean a decision of whether or not to terminate, including

12   decisions to not terminate. It shall include a decision to request information from an individual

13   when the failure to respond within a set timeframe will remove the individual from enrollment in

14   Medicaid. In such a case, the decision to remove an individual who has not responded to such a

15   request from enrollment in Medicaid shall not count as an additional termination decision, but a

16   decision of whether or not to proceed with removing the individual from enrollment in Medicaid

17   after they do respond in any manner shall count as an additional termination decision, even if the

18   response is deemed insufficient.

19   **40-23-3. Eligibility determination based on state data only.**

20   (a) Eligibility criteria. The eligibility for Medicaid benefits in Rhode Island shall be

21   determined exclusively by the use of the following state-controlled data sources:

22   (1) SWICA data including, but not limited to, wage, employment, and earnings

23   information.

24   (2) PARIS data, including information about applicants who may be receiving benefits

25   from other states.

26   (3) Other state-maintained databases as determined by the Rhode Island executive office

27   of health and human services.

28   (b) Prohibition on private entity data. No private entity data may be used for any part of

29   the Medicaid eligibility determination process, including post-eligibility verification. Any

30   termination where private entity data was utilized for any part of the decision to terminate shall not

31   be valid.

32   (c) Retroactive reinstatement. Any individuals terminated from Medicaid utilizing private

33   entity data prior to the effective date of this act shall be retroactively reinstated within ten (10) days

34   of the effective date of this act, unless the executive office of health and human services determines

1   that the decision to terminate was correct using only state data sources within the ten (10) days. If

2   the decision to terminate is determined to be correct, terminated individuals shall have a right to

3   appeal the termination to the executive office of health and human services and/or the superior

4   court and shall receive written notice of their rights. The executive office of health and human

5   services shall not impose a time limit on the right of appeal.

6   (d) Ban on automated terminations. No termination from Medicaid shall be valid unless

7   the decision to terminate was made by a human being employed by the executive office of health

8   and human services or the department of human services. No terminations from Medicaid shall be

9   valid if, on the day when the decision to terminate was made, the employee making the decision to

10   terminate made more than fifty (50) termination decisions. No termination from Medicaid shall be

11   valid if the decision to terminate was made by a computer program. If the decision to terminate was

12   recommended by a computer program, the burden of proof shall fall on the state to demonstrate

13   that the employee certifying the termination made a good faith effort to independently review the

14   case.

15   SECTION 2. This act shall take effect upon passage.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

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RELATING TO HUMAN SERVICES -- RHODE ISLAND MEDICAID ELIGIBILITY
DETERMINATION ACT

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1   This bill would establish that Medicaid eligibility in Rhode Island can only be determined

2   using state-controlled data, prohibit private entity data in eligibility decisions, and ensure

3   terminations are made by human employees rather than automated systems. It would also mandate

4   retroactive reinstatement for improperly terminated individuals

5   This act would take effect upon passage.

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