

2020 -- H 7978

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LC003683  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2020

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A N A C T

RELATING TO HUMAN SERVICES -MEDICAL ASSISTANCE-HEALTH CARE FOR  
ELDERLY AND DISABLED

Introduced By: Representatives McLaughlin, Tanzi, Shekarchi, Hull, and Corvese

Date Introduced: March 06, 2020

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 40-8 of the General Laws entitled "Medical Assistance" is hereby  
2 amended by adding thereto the following section:

3 **40-8-3.2. Eligibility for Medicare savings programs.**

4 (a) Beginning July 1, 2020, and annually thereafter, the secretary of the executive office  
5 of health and human services shall increase income disregards used to determine eligibility by the  
6 department of human services for the federal Qualified Medicare Beneficiary, the Specified Low-  
7 Income Medicare Beneficiary and the Qualifying Individual Programs, administered in  
8 accordance with the provisions of 42 U.S.C. § 1396(p), by an amount that equalizes the income  
9 levels used to determine eligibility for said programs to income levels not to exceed one hundred  
10 thirty-five percent (135%) of the federal poverty level.

11 (b) The secretary shall not apply an asset test for eligibility under the Medicare savings  
12 program.

13 (c) The secretary shall submit any Medicaid state plan amendment necessary to  
14 implement the provisions of this section.

15 SECTION 2. Section 40-8.5-1 of the General Laws in Chapter 40-8.5 entitled "Health  
16 Care for Elderly and Disabled Residents Act" is hereby amended to read as follows:

17 **40-8.5-1. Categorically needy medical assistance coverage.**

18 The department of human services is hereby authorized and directed to amend its Title

1 XIX state plan to provide for categorically needy medical assistance coverage as permitted  
2 pursuant to Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq., as amended, to  
3 individuals who are sixty-five (65) years or older or are disabled, as determined under §  
4 1614(a)(3) of the Social Security Act, 42 U.S.C. § 1382c(a)(3), as amended, whose income does  
5 not exceed ~~one hundred percent (100%)~~ one hundred thirty-five percent (135%) of the federal  
6 poverty level (as revised annually) applicable to the individual's family size, and whose resources  
7 do not exceed four thousand dollars (\$4,000) per individual, or six thousand dollars (\$6,000) per  
8 couple. The department shall provide medical assistance coverage to such elderly or disabled  
9 persons in the same amount, duration and scope as provided to other categorically needy persons  
10 under the state's Title XIX state plan.

11 SECTION 3. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

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1           This act would: (1) Increase the income eligibility limit for medical assistance coverage  
2 for seniors and disabled individuals with incomes not to exceed from one hundred percent (100%)  
3 to one hundred thirty-five percent (135%) of the federal poverty level; and (2) Require the  
4 secretary of the executive office of health and human services (EOHHS) to increase income  
5 disregards to determine eligibility for certain Medicaid cost-sharing programs by an amount that  
6 equalizes the income levels used to determine eligibility which are not to exceed one hundred  
7 thirty-five percent (135%) of the federal poverty level.

8           This act would take effect upon passage.

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