

2026 -- H 7246

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LC003596

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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE

Introduced By: Representative David J. Place

Date Introduced: January 21, 2026

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 40-8-22 of the General Laws in Chapter 40-8 entitled "Medical
2 Assistance" is hereby amended to read as follows:

3 **40-8-22. Protection of resources — Long-term care insurance partnership program.**

4 (a) The department of human services shall coordinate a program entitled the Rhode Island
5 Partnership for Long-Term Care whereby private insurance and funds may be utilized to finance
6 long-term care. The department shall seek appropriate amendments to its state plan for medical
7 assistance under Title XIX, 42 U.S.C. § 1396 et seq., of the Social Security Act (Medicaid), or
8 waivers of state plan requirements, to allow protection of resources and income pursuant to this
9 section. The protection shall be provided, to the extent approved by the federal Centers for
10 Medicare and Medicaid Services, for any purchaser of a precertified, long-term-care policy
11 delivered, issued for delivery, or renewed and shall last for the life of the purchaser.

12 Notwithstanding any provision of the general laws, the limitation on trusts shall be disregarded if
13 the person has purchased long-term-care insurance with a coverage payout amount equal to the
14 average cost of long-term care in the State of Rhode Island. Notwithstanding any provision of the
15 general laws, the resources of an individual, to the extent the resources are equal to the amount of
16 qualifying long-term-care insurance benefits payments provided pursuant to a policy of long-term-
17 care insurance precertified in accordance with department regulations and chapter 34.2 of title 27,
18 shall not be considered by the department in a determination of: (1) His or her eligibility for
19 Medicaid; (2) The amount of any Medicaid payment; or (3) In any subsequent recovery by the state

1 of a payment for medical services. The precertified policies shall be known as "Medicaid qualifying
2 long-term care partnership policies."

3 (b) The department shall count insurance benefit payments toward resource exclusion to
4 the extent the payments: (1) Are for services covered under the state plan for medical assistance,
5 including nursing home care, or formal services delivered to insureds in the community as part of
6 a care plan; (2) Are for the lower of the actual charge or the amount paid by the insurance company;
7 and (3) Are for services provided after the individual meets the coverage requirements for long-
8 term-care benefits established by the department for this program. The department shall adopt rules
9 and regulations to implement the provisions of this section and relating to determining eligibility
10 of applicants for Medicaid and the coverage requirements for long-term-care benefits.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE

- 1 This act would disregard the limitations on trusts if the person has purchased long-term-care insurance with a coverage payout amount equal to the average cost of long-term care in the State of Rhode Island.
- 2
- 3
- 4 This act would take effect upon passage.

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