

HB1293_L.007

HOUSE COMMITTEE OF REFERENCE REPORT

 Chairman of Committee

 Date
Committee on Health and Human Services.

After consideration on the merits, the Committee recommends the following:

HB09-1293 be amended as follows:

1 Amend printed bill, page 22, line 19, strike "PURSUANT TO" and substitute
2 "SUBJECT TO ADEQUATE".

3 Page 23, line 19, after "TO", insert "ADEQUATE".

4 Page 24, line 17, strike "**groups.**" and substitute "**groups - repeal.**".

5 Page 25, after line 19, insert the following:

6 "(C) NOTWITHSTANDING THE PROVISIONS OF SUB-SUBPARAGRAPH
7 (A) OF THIS SUBPARAGRAPH (I), UNTIL THE STATE DEPARTMENT RECEIVES
8 FEDERAL AUTHORIZATION TO INCREASE THE PERCENTAGE OF THE FEDERAL
9 POVERTY RATE FOR PARENTS OF CHILDREN ELIGIBLE FOR THE MEDICAL
10 ASSISTANCE PROGRAM OR THE CHILDREN'S BASIC HEALTH PLAN, THE
11 PERCENTAGE OF THE FEDERAL POVERTY LEVEL SHALL BE NOT LESS THAN
12 SIXTY PERCENT. WITHIN SIXTY DAYS AFTER THE STATE DEPARTMENT
13 RECEIVES AUTHORIZATION TO INCREASE THE PERCENTAGE OF THE
14 FEDERAL POVERTY LEVEL, THE EXECUTIVE DIRECTOR SHALL SEND
15 WRITTEN NOTICE TO THE REVISOR OF STATUTES INFORMING HIM OR HER OF
16 THE AUTHORIZATION. THIS SUB-SUBPARAGRAPH (C) IS REPEALED,
17 EFFECTIVE THE JULY 1 FOLLOWING THE RECEIPT OF THE NOTICE TO THE
18 REVISOR OF STATUTES."

19 Page 26, after line 8, insert the following:

20 "(III) (A) NOTWITHSTANDING THE PROVISION OF SUBPARAGRAPH



1 (I) OF THIS PARAGRAPH (o), INDIVIDUALS WITH DISABILITIES WHO ARE
2 PARTICIPATING IN THE MEDICAID BUY-IN PROGRAM ESTABLISHED IN PART
3 14 OF ARTICLE 6 OF THIS TITLE SHALL ONLY BE ELIGIBLE FOR BENEFITS
4 UNDER THE MEDICAL ASSISTANCE PROGRAM IF THE STATE DEPARTMENT
5 RECEIVES FEDERAL AUTHORIZATION FOR SUCH ELIGIBILITY.

6 (B) WITHIN SIXTY DAYS AFTER THE STATE DEPARTMENT RECEIVES
7 AUTHORIZATION TO PROVIDE MEDICAL BENEFITS TO INDIVIDUALS WITH
8 DISABILITIES WHO ARE PARTICIPATING IN THE MEDICAID BUY-IN PROGRAM
9 ESTABLISHED IN PART 14 OF ARTICLE 6 OF THIS TITLE, THE EXECUTIVE
10 DIRECTOR SHALL SEND WRITTEN NOTICE TO THE REVISOR OF STATUTES
11 INFORMING HIM OR HER OF THE AUTHORIZATION.

12 (C) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE THE JULY
13 1 FOLLOWING THE RECEIPT OF THE NOTICE TO THE REVISOR OF STATUTES.";

14 after line 27, insert the following:

15 "(III) (A) NOTWITHSTANDING THE PROVISION OF SUBPARAGRAPH
16 (I) OF THIS PARAGRAPH (p), PERSONS OVER EIGHTEEN YEARS OF AGE WHO
17 ARE CHILDLESS OR WITHOUT A DEPENDENT CHILD IN THE HOME SHALL
18 ONLY BE ELIGIBLE FOR BENEFITS UNDER THE MEDICAL ASSISTANCE
19 PROGRAM IF THE STATE DEPARTMENT RECEIVES FEDERAL AUTHORIZATION
20 FOR SUCH ELIGIBILITY.

21 (B) WITHIN SIXTY DAYS AFTER THE STATE DEPARTMENT RECEIVES
22 AUTHORIZATION TO PROVIDE MEDICAL BENEFITS TO PERSONS OVER
23 EIGHTEEN YEARS OF AGE WHO ARE CHILDLESS OR WITHOUT A DEPENDENT
24 CHILD IN THE HOME, THE EXECUTIVE DIRECTOR SHALL SEND WRITTEN
25 NOTICE TO THE REVISOR OF STATUTES INFORMING HIM OR HER OF THE
26 AUTHORIZATION.

27 (C) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE THE JULY
28 1 FOLLOWING THE RECEIPT OF THE NOTICE TO THE REVISOR OF STATUTES."

29 Page 27, after line 21, insert the following:

30 "(III) (A) NOTWITHSTANDING THE PROVISION OF SUBPARAGRAPH
31 (I) OF THIS PARAGRAPH (r), PERSONS ELIGIBLE FOR A MEDICAID BUY-IN
32 PROGRAM ESTABLISHED PURSUANT TO SECTION 25.5-5-206 SHALL ONLY
33 BE ELIGIBLE FOR BENEFITS UNDER THE MEDICAL ASSISTANCE PROGRAM IF

1 THE STATE DEPARTMENT RECEIVES FEDERAL AUTHORIZATION FOR SUCH
2 ELIGIBILITY.

3 (B) WITHIN SIXTY DAYS AFTER THE STATE DEPARTMENT RECEIVES
4 AUTHORIZATION TO PROVIDE MEDICAL BENEFITS TO PERSONS ELIGIBLE FOR
5 A MEDICAID BUY-IN PROGRAM ESTABLISHED PURSUANT TO SECTION
6 25.5-5-206, THE EXECUTIVE DIRECTOR SHALL SEND WRITTEN NOTICE OF
7 TO THE REVISOR OF STATUTES INFORMING HIM OR HER OF THE
8 AUTHORIZATION.

9 (C) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE THE JULY
10 1 FOLLOWING THE RECEIPT OF THE NOTICE TO THE REVISOR OF STATUTES.";

11 line 25, strike "**children.**" and substitute "**children - repeal.**".

12 Page 28, after line 17, insert the following:

13 "(3) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1)
14 OF THIS SECTION, CONTINUOUS ELIGIBILITY FOR CHILDREN SHALL ONLY BE
15 EFFECTIVE IF THE STATE DEPARTMENT RECEIVES FEDERAL AUTHORIZATION
16 FOR SUCH ELIGIBILITY.

17 (b) WITHIN SIXTY DAYS AFTER THE STATE DEPARTMENT RECEIVES
18 AUTHORIZATION TO PROVIDE CONTINUOUS ELIGIBILITY FOR CHILDREN, THE
19 EXECUTIVE DIRECTOR SHALL SEND WRITTEN NOTICE TO THE REVISOR OF
20 STATUTES INFORMING HIM OR HER OF THE AUTHORIZATION.

21 (c) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE THE JULY 1
22 FOLLOWING THE RECEIPT OF THE NOTICE TO THE REVISOR OF STATUTES.".

23 Page 29, line 27, strike "**Definitions.**" and substitute "**Definitions -
24 repeal.**".

25 Page 30, line 21, strike "OR";

26 after line 21, insert the following:

27 "(III) (A) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH
28 (I) OF THIS PARAGRAPH (a), UNTIL THE STATE DEPARTMENT RECEIVES
29 FEDERAL AUTHORIZATION TO INCREASE THE PERCENTAGE OF THE FEDERAL
30 POVERTY RATE FOR A PERSON WHO IS LESS THAN NINETEEN YEARS OF AGE,

1 THE PERCENTAGE OF THE FEDERAL POVERTY LEVEL SHALL NOT EXCEED
2 TWO HUNDRED FIVE PERCENT.

3 (B) WITHIN SIXTY DAYS AFTER THE STATE DEPARTMENT RECEIVES
4 AUTHORIZATION TO INCREASE THE PERCENTAGE OF FEDERAL POVERTY
5 LEVEL, THE EXECUTIVE DIRECTOR SHALL SEND WRITTEN NOTICE TO THE
6 REVISOR OF STATUTES INFORMING HIM OR HER OF THE AUTHORIZATION.

7 (C) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE THE JULY
8 1 FOLLOWING THE RECEIPT OF THE NOTICE TO THE REVISOR OF STATUTES.";

9 line 24, strike "**Definitions.**" and substitute "**Definitions - repeal.**".

10 Page 31, after line 18, insert the following:

11 "(III) (A) NOTWITHSTANDING THE PROVISIONS OF SUBPARAGRAPH
12 (I) OF THIS PARAGRAPH (b), UNTIL THE STATE DEPARTMENT RECEIVES
13 AUTHORIZATION TO INCREASE THE PERCENTAGE OF THE FEDERAL POVERTY
14 RATE FOR A PERSON WHO IS LESS THAN NINETEEN YEARS OF AGE, THE
15 PERCENTAGE OF THE FEDERAL POVERTY LEVEL SHALL NOT EXCEED TWO
16 HUNDRED FIVE PERCENT.

17 (B) WITHIN SIXTY DAYS AFTER THE STATE DEPARTMENT RECEIVES
18 AUTHORIZATION TO INCREASE THE PERCENTAGE OF FEDERAL POVERTY
19 LEVEL, THE EXECUTIVE DIRECTOR SHALL SEND WRITTEN NOTICE TO THE
20 REVISOR OF STATUTES INFORMING HIM OR HER OF THE AUTHORIZATION.

21 (C) THIS SUBPARAGRAPH (III) IS REPEALED, EFFECTIVE THE JULY
22 1 FOLLOWING THE RECEIPT OF THE NOTICE TO THE REVISOR OF STATUTES.".

23 Page 32, strike lines 18 through 22.

24 Renumber succeeding section accordingly.

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