

House Study Bill 515 - Introduced

HOUSE FILE _____

BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL BY
CHAIRPERSON MEYER)

A BILL FOR

1 An Act relating to public assistance program case reviews.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **239.1 Definitions.**

2 As used in this chapter, unless the context otherwise
3 requires:

4 1. "*Applicant*" means an individual who is applying for
5 public assistance benefits in the state.

6 2. "*Department*" means the department of human services.

7 3. "*Public assistance*" means SNAP (the supplemental
8 nutrition assistance program), the Medicaid program, FIP (the
9 family investment program), and CHIP (the children's health
10 insurance program).

11 4. "*Recipient*" means an individual who is receiving public
12 assistance benefits in the state.

13 Sec. 2. NEW SECTION. **239.2 Case review of public assistance**
14 **applicant and recipient information.**

15 1. If the information obtained from a review of an
16 applicant's or a recipient's information under this chapter
17 does not result in the department finding a discrepancy or
18 change in the individual's circumstances affecting eligibility,
19 the department shall take no further action.

20 2. If the information obtained from a review of an
21 applicant's or a recipient's information under this chapter
22 results in the department finding a discrepancy or change in
23 the individual's circumstances affecting eligibility, the
24 department shall respond in accordance with the provisions of
25 section 239.3.

26 Sec. 3. NEW SECTION. **239.3 Notice and right to be heard.**

27 1. An applicant or a recipient shall be provided
28 written notice and the opportunity to explain any issues
29 identified in a review performed pursuant to section 239.2
30 for initial eligibility or redetermination of eligibility.
31 Unless otherwise prohibited by federal law or regulation, a
32 self-declaration by an applicant or a recipient shall not
33 be accepted as verification of categorical and financial
34 eligibility during such review.

35 2. The notice provided to the applicant or recipient shall

1 describe in sufficient detail the circumstances of the issue
2 identified, the manner in which the applicant or recipient
3 may respond, and the consequences of failing to respond to
4 the notice or resolve the issue identified. The applicant or
5 recipient shall be provided ten days to respond to the notice.
6 The department may request additional information as necessary
7 to reach a decision.

8 3. An applicant or a recipient may respond to the notice as
9 follows:

10 a. By disagreeing with the findings of the department. If
11 the applicant or recipient responds in a timely manner and
12 disagrees with the findings of the department, the department
13 shall reevaluate the circumstances to determine if the
14 applicant's or recipient's position is valid. If, through
15 reevaluation, the department finds that the department is in
16 error, the department shall take immediate action to correct
17 the error. If, through reevaluation, the department affirms
18 that the applicant's or recipient's position is invalid, the
19 department shall determine the effect on the applicant's or
20 recipient's eligibility and take appropriate action. Written
21 notice of the department's determination and the actions taken
22 shall be provided to the applicant or recipient.

23 b. By agreeing with the findings of the department. If
24 the applicant or recipient responds in a timely manner and
25 agrees with the findings of the department, the department
26 shall determine the effect on the applicant's or recipient's
27 eligibility and take appropriate action. Written notice of the
28 department's determination and actions taken shall be provided
29 to the applicant or recipient.

30 4. If the applicant or recipient fails to respond to the
31 notice in a timely manner, the department shall provide notice
32 to terminate the applicant's application or to discontinue
33 the recipient's enrollment for failure to cooperate, and
34 shall terminate the applicant's application or discontinue
35 the recipient's enrollment. The applicant's or recipient's

1 eligibility for such public assistance shall not be established
2 or reestablished until the issue has been resolved.

3 Sec. 4. NEW SECTION. **239.4 Administration — rules —**
4 **reporting.**

5 1. The department of human services shall adopt rules
6 pursuant to chapter 17A to administer this chapter.

7 2. The department shall submit a report to the governor
8 and the general assembly by January 15, 2024, and by January
9 15 annually thereafter through January 15, 2029, detailing the
10 impact of the case review measures taken under this chapter.

11 Sec. 5. IMPLEMENTATION.

12 1. The department of human services shall request federal
13 approval including for any state plan amendment or waiver
14 necessary to administer this Act.

15 2. The provisions of this Act requiring federal approval
16 shall be implemented upon receipt of such federal approval.

17 3. The provisions of this Act not requiring federal approval
18 shall be implemented no later than July 1, 2023.

19 4. The department may contract with multiple third-party
20 vendors to administer this Act.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill provides that if information obtained from a
25 review by the department of human services (DHS) of a public
26 assistance applicant's or recipient's information under the
27 bill does not result in DHS finding a discrepancy or change in
28 the individual's circumstances affecting eligibility, DHS shall
29 take no further action.

30 If the information obtained from a review of the applicant's
31 or recipient's information under the bill results in DHS
32 finding a discrepancy or a change in the individual's
33 circumstances affecting eligibility, DHS shall provide written
34 notice to the individual and the opportunity to explain any
35 issues identified. Unless otherwise prohibited by federal

1 law or regulation, a self-declaration by an applicant or a
2 recipient shall not be accepted as verification of categorical
3 and financial eligibility during such review.

4 The notice provided to the applicant or recipient shall
5 describe in sufficient detail the circumstances of the issue
6 identified, the manner in which the applicant or recipient
7 may respond, and the consequences of failing to respond to
8 the notice or resolve the issue identified. The applicant or
9 recipient shall be provided 10 days to respond to the notice.
10 DHS may request additional information as necessary to reach
11 a decision.

12 The bill specifies the processes and results dependent upon
13 whether an applicant or a recipient responds by disagreeing
14 or agreeing with the findings of a review by DHS or fails
15 to respond. If the applicant or recipient fails to respond
16 to the notice in a timely manner, DHS shall provide notice
17 to terminate the applicant's application or to discontinue
18 the recipient's enrollment for failure to cooperate, and
19 shall terminate the applicant's application or discontinue
20 the recipient's enrollment. The applicant's or recipient's
21 eligibility for such public assistance shall not be established
22 or reestablished until the issue has been resolved.

23 Under the bill, DHS shall adopt administrative rules to
24 administer the Code chapter. DHS shall submit a report to the
25 governor and the general assembly by January 15, 2024, and
26 by January 15 annually thereafter through January 15, 2029,
27 detailing the impact of the case review measures taken under
28 the bill.

29 DHS shall request federal approval including for any state
30 plan amendment or waiver necessary to administer the bill, and
31 the provisions of the bill requiring federal approval shall
32 be implemented upon receipt of such federal approval. The
33 provisions of the bill that do not require federal approval
34 shall be implemented no later than July 1, 2023. DHS may
35 contract with multiple third-party vendors to administer the

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1 bill.