

House File 2589 - Introduced

HOUSE FILE 2589
BY COMMITTEE ON HEALTH AND
HUMAN SERVICES

(SUCCESSOR TO HSB 198)

A BILL FOR

1 An Act relating to Medicaid-related programs and services
2 including the work without worry program for employed
3 individuals with disabilities and complex rehabilitation
4 technology.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. WORK WITHOUT WORRY PROGRAM — MEDICAID FOR
2 EMPLOYED INDIVIDUALS WITH DISABILITIES.

3 1. The department of health and human services shall submit
4 any waiver request or state plan amendment, or combination
5 thereof, to the centers for Medicare and Medicaid services of
6 the United States department of health and human services as
7 necessary to create a work without worry program for employed
8 individuals with disabilities in accordance with this section.

9 2. The program shall provide Medicaid coverage based on the
10 following criteria:

11 a. The individual has a qualifying disability as determined
12 by the social security administration or the individual is
13 determined by the department of health and human services
14 to have a physical or mental impairment or combination of
15 impairments that have lasted or are expected to last for
16 at least twelve months or result in death. An individual
17 shall not be required to receive federal disability benefits
18 to participate in the program. An individual who receives
19 supplemental security income shall be automatically eligible
20 for coverage under the program and shall not be required to
21 submit a separate application for the program.

22 b. The individual is sixteen to sixty-five years of age.

23 c. The individual is employed and has earned income
24 from employment including self-employment. The employment
25 requirement shall not be limited by the number of hours or
26 amount of income, but the individual shall verify employment
27 through evidence of pay stubs or a self-employment ledger.
28 The program shall allow for continuation of coverage for a
29 participating individual for six months following loss of
30 employment if there is an intent on the part of the individual
31 to return to employment.

32 d. The individual is not subject to any resource or asset
33 test or limit under the program, with the exception of the
34 following:

35 (1) Any vehicle owned by the individual that is not

1 adapted for the individual, used primarily by or for the
2 individual, and used for transporting the individual to medical
3 appointments.

4 (2) The primary residence owned and occupied by the
5 individual if the assessed value of the residence exceeds four
6 hundred thousand dollars.

7 e. The individual's income is below four hundred fifty
8 percent of the federal poverty level. Income is based only on
9 the individual's net earned and unearned income as a household
10 of one as that income is adjusted by the following deductions
11 or disregards:

12 (1) A twenty dollar general disregard from unearned income
13 that is not from employment.

14 (2) A disregard of sixty-five dollars plus one-half of the
15 individual's earned income from employment.

16 (3) A deduction of impairment-related work expenses.

17 (4) A deduction of work expenses for the blind.

18 f. An individual shall have access to all traditional
19 Medicaid services under the Medicaid state plan as well as
20 additional long-term services and supports and community-based
21 services, including waiver services, for which the individual
22 meets any applicable level of care requirements subject to any
23 waiting list or availability of openings for the service and
24 support.

25 g. An individual may be eligible for or receive other health
26 care coverage including through an employer, through Medicare,
27 or through the medically needy program, the qualified Medicare
28 beneficiary program, or the specified low-income Medicare
29 beneficiary program. If the individual has such other coverage
30 and is subject to payment of copayments or premiums for that
31 coverage, notwithstanding the premium requirements under the
32 program to the contrary, the individual shall not be subject to
33 payment of premiums otherwise applicable under the program.

34 h. An individual with income at or above one hundred fifty
35 percent of the federal poverty level shall be subject to

1 payment of a premium not to exceed the limits established under
2 federal guidelines.

3 i. The program shall also provide that any individual
4 participating in the Medicaid for employed persons with
5 disabilities program when the work without worry program is
6 implemented shall be transferred to and enrolled in the work
7 without worry program.

8 3. The department of health and human services shall
9 implement a work without worry public awareness campaign to
10 ensure that consumer information and educational resources are
11 accessible to individuals with disabilities and the public.
12 The department shall also provide technical assistance to
13 individuals with disabilities in determining if the work
14 without worry program is the best option for coverage under
15 that individual's particular circumstances and in applying for
16 and maintaining participation in the program.

17 Sec. 2. MEDICAID — REIMBURSEMENT FOR THE REPAIR OF COMPLEX
18 REHABILITATION TECHNOLOGY. Under both Medicaid managed care
19 and fee-for-service administration of the Medicaid program, the
20 department of health and human services shall not require a
21 prescription for reimbursement of a provider for the repair of
22 complex rehabilitation equipment, if the complex rehabilitation
23 technology was previously prescribed and reimbursed under
24 the Medicaid program. For the purposes of this section,
25 "complex rehabilitation technology" means items classified
26 under the Medicare program as durable medical equipment that
27 is individually configured for individuals to meet their
28 specific and unique medical, physical, and functional needs
29 and capacities for basic activities of daily living and
30 instrumental activities of daily living identified as medically
31 necessary.

32 EXPLANATION

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

35 This bill relates to programs and services under the

1 Medicaid program. The bill creates the work without worry
2 program for employed individuals with disabilities 16 to 65
3 years of age under the Medicaid program. The bill directs the
4 department of health and human services (HHS) to submit any
5 waiver request or state plan amendment, or combination thereof,
6 to the centers for Medicare and Medicaid services of the United
7 States department of health and human services as necessary to
8 create a work without worry program for employed individuals
9 with disabilities in accordance with the bill. Criteria for
10 coverage under the program include that the individual has
11 a qualifying disability and although an individual is not
12 required to receive federal disability benefits to participate
13 in the program, an individual who receives supplemental
14 security income shall be automatically eligible for coverage
15 under the program; the individual is 16 to 65 years of age; the
16 individual is employed and has earned income from employment
17 including self-employment; the individual is not subject to
18 any resource or asset test or limit under the program with the
19 exception of nonadapted vehicles and a primary residence for
20 which the assessed value exceeds \$400,000; the individual's
21 income is below 450 percent of the federal poverty level as
22 adjusted by specified deductions or disregards; the individual
23 has access to all traditional Medicaid services as well as
24 additional long-term services and supports and community-based
25 services subject to waiting lists and availability of openings;
26 the individual may be eligible for or receive other coverage
27 including through an employer, through Medicare, through the
28 medically needy program, the qualified Medicare beneficiary
29 program, or the specified low-income Medicare beneficiary
30 program, and is not subject to otherwise applicable premiums
31 if the individual is subject to copayments or premiums for
32 the other coverage; the individual with income at or above
33 150 percent of the federal poverty level shall be subject to
34 payment of a premium not to exceed the limits established
35 under federal guidelines; and the program shall provide that

1 any individual participating in the Medicaid for employed
2 persons with disabilities program at the time the work without
3 worry program is implemented shall be transferred to and
4 enrolled in the work without worry program. The bill also
5 requires HHS to implement a work without worry public awareness
6 campaign to ensure that consumer information and educational
7 resources are accessible to individuals with disabilities and
8 the public, and to provide technical assistance to individuals
9 with disabilities in determining if the work without worry
10 program is the best option for coverage under the individual's
11 particular circumstances and in applying for and maintaining
12 participation in the program.

13 The bill also provides that under both Medicaid managed care
14 and fee-for-service administration of the Medicaid program,
15 HHS shall not require a prescription for reimbursement of a
16 provider for the repair of complex rehabilitation technology,
17 if the complex rehabilitation technology was previously
18 prescribed and reimbursed under the Medicaid program. The bill
19 defines complex rehabilitation technology.