SENATE FILE 538
BY COMMITTEE ON LABOR AND
BUSINESS RELATIONS

(SUCCESSOR TO SSB 1134)

(As Amended and Passed by the Senate March 19, 2019)
ALL New Language by the Senate

A BILL FOR

An Act relating to community engagement activity requirements under the Iowa health and wellness plan.

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

Section 1. MEDICAID DEMONSTRATION WAIVER REQUEST — COMMUNITY ENGAGEMENT REQUIREMENTS FOR IOWA HEALTH AND WELLNESS PLAN MEMBERS.

1. The department of human services shall submit a request by March 1, 2020, to receive federal approval from the centers for Medicare and Medicaid services of the United States department of health and human services (CMS) for a section 1115 demonstration waiver to require that as a condition of eligibility, Iowa health and wellness plan members participate in community engagement activities.

2. The waiver request submitted by the department shall require that, unless an individual is exempt pursuant to subsection 3, as a condition of eligibility for the Iowa health and wellness plan, a recipient shall do one of the following:

a. Work twenty hours or more per week, averaged over a six-month period.

b. Participate in and comply with the requirements of a work program for twenty hours or more per week, averaged on a monthly basis, as determined by the department.

c. Volunteer twenty hours or more per week, averaged on a monthly basis, as determined by the department.

d. Meet a combination of work and work program participation requirements for a total of twenty hours or more per week, as determined by the department.

e. Participate in and comply with the PROMISE JOBS program pursuant to chapter 239B.

f. Be enrolled in the future ready Iowa program.

g. Participate in other activities identified by the department and approved by CMS.

3. The following individuals shall be exempt from the requirements specified in subsection 2:

a. An individual medically certified as physically or mentally unable to fulfill the requirements of subsection 2.

b. An individual who is pregnant.

c. A parent or caretaker responsible for the care of a

dependent child under six years of age.

d. A parent or caretaker personally providing the care for a dependent child with a serious medical condition or disability, as determined by the department.

e. An individual receiving unemployment compensation and complying with work requirements of the federal or state unemployment compensation system.

f. An individual participating in a drug or alcohol treatment and rehabilitation program.

g. An individual enrolled full-time in an educational institution.

h. The parent of a child who provides private instruction pursuant to chapter 299A to that child.

i. An individual who is a caregiver for an elderly person or an adult with a chronic, disabling, or serious health condition as determined by the department.

j. An individual who meets other criteria identified by the department, and approved by CMS.

4. The waiver request submitted by the department shall also provide that if an individual does not comply with the community engagement activities during the individual's initial six-month period of eligibility, the individual's eligibility for the program shall be terminated for the remainder of the individual's benefit year. The department shall only terminate an individual's eligibility thirty days after the individual receives notice of the termination of benefits.

5. a. The department shall implement the Medicaid waiver as approved by CMS prospectively from the date of receipt of federal approval.

b. The department shall adopt rules pursuant to chapter 17A to administer the waiver provisions.