

PILOT PROGRAM FOR ASSISTANCE FOR CHILDREN
WITH DISABILITIES AND COMPLEX MEDICAL
CONDITIONS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Edward H. Redd

Senate Sponsor: Curtis S. Bramble

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12	Steve Eliason	Paul Ray	John R. Westwood
13	Francis D. Gibson	Angela Romero	
	Brian M. Greene		

LONG TITLE

General Description:

This bill directs the Department of Health to apply for a Medicaid waiver for children with disabilities and complex medical conditions.

Highlighted Provisions:

This bill:

▸ directs the Department of Health to apply for a Medicaid waiver for children with disabilities and complex medical conditions.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

28 ENACTS:

29 **26-18-410**, Utah Code Annotated 1953



31 *Be it enacted by the Legislature of the state of Utah:*

32 Section 1. Section **26-18-410** is enacted to read:

33 **26-18-410. Medicaid waiver for children with disabilities and complex medical**
34 **needs.**

35 (1) As used in this section:

36 (a) "Complex medical condition" means a physical condition of an individual that:

37 (i) results in severe functional limitations for the individual; and

38 (ii) is likely to:

39 (A) last at least 12 months; or

40 (B) result in death.

41 (b) "Program" means the program for children with complex medical conditions
42 created in Subsection (3).

43 (c) "Qualified child" means a child who:

44 (i) is less than 19 years old;

45 (ii) is diagnosed with a complex medical condition;

46 (iii) has a condition that meets the definition of disability in 42 U.S.C. Sec. 12102; and

47 (iv) meets the additional eligibility criteria determined by the department under
48 Subsection (4).

49 (2) The department shall apply, no later than June 30, 2015, for a Medicaid home and
50 community-based waiver with the Centers for Medicare and Medicaid Services within the
51 United States Department of Health and Human Services to implement, within the state
52 Medicaid program, the program described in Subsection (3).

53 (3) If the waiver described in Subsection (2) is approved, the department shall offer a
54 program that:

55 (a) as funding permits, provides treatment for qualified children; and

- 56 (b) accepts applications for the program during periods of open enrollment.
- 57 (4) The department shall:
- 58 (a) seek to prioritize, in the waiver described in Subsection (2), entrance into the
- 59 program based on the:
- 60 (i) complexity of a qualified child's medical condition; and
- 61 (ii) financial needs of a qualified child and the qualified child's family;
- 62 (b) convene a public process to determine:
- 63 (i) the benefits and services to offer a qualified child under the program; and
- 64 (ii) additional eligibility criteria for a qualified child; and
- 65 (c) evaluate, on an ongoing basis, the cost and effectiveness of the program.
- 66 (5) The department shall annually report, beginning in 2016, to the Legislature's Health
- 67 and Human Services Interim Committee before November 30 while the waiver is in effect
- 68 regarding:
- 69 (a) the number of qualified children served under the program;
- 70 (b) the cost of the program; and
- 71 (c) the effectiveness of the program.