

# HB0310S01 compared with HB0310

~~{Omitted text}~~ shows text that was in HB0310 but was omitted in HB0310S01

inserted text shows text that was not in HB0310 but was inserted into HB0310S01

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## Disability Coverage Amendments

2025 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jennifer Dailey-Provost**

Senate Sponsor:

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3 **LONG TITLE**

4 **General Description:**

5 This bill addresses wraparound services for certain individuals with a disability.

6 **Highlighted Provisions:**

7 This bill:

8 ▶ defines terms;

9 ▶ requires the Department of Health and Human Services (department) to apply for a Medicaid waiver or state plan amendment to provide wraparound services to qualified individuals with a disability;

12 ▶ requires qualified individuals who receive services under the waiver or state plan amendment to make cost-sharing payments according to a sliding scale established by the department;

15 ▶ specifies certain percentages and maximum payment amounts for the sliding scale established by the department; and

17 ▶ requires the department to make rules.

18 **Money Appropriated in this Bill:**

19 None

HB0310

# HB0310 compared with HB0310S01

20 **Other Special Clauses:**

21 None

23 ENACTS:

24 **26B-3-229** , Utah Code Annotated 1953 , Utah Code Annotated 1953

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

27 Section 1. Section **1** is enacted to read:

28 **26B-3-229. Wraparound services for qualified individuals with a disability.**

29 (1) As used in this section:

30 (a) "Federal poverty level" means the United States poverty level as defined by the most recently revised poverty income guidelines published by the United States Department of Health and Human Services in the Federal Register.

33 (b) "Minimum essential coverage" means the same as that term is defined in 26 U.S.C. Sec. 5000A.

35 (c) "Qualified individual" means an individual who:

36 (i) is a disabled individual as described in 42 U.S.C. Sec. 1382c;

37 (ii) within the past 12 months has been enrolled in the state Medicaid program;

38 (iii) is enrolled in minimum essential coverage other than the Medicaid program;

39 (iv) except as provided in Subsections (1)(c)(v) and (vi), does not meet the income or asset requirements for enrollment in the state Medicaid program;

41 (v) has a household income that is between 250% and {500} 800% of the federal poverty level; and

43 (vi) has assets, excluding one home and one automobile, that are valued at less than \$125,000.

45 (d) "Wraparound services" means services and benefits that:

46 (i) are covered by the Medicaid program; and

47 (ii) are not covered by the minimum essential coverage described in Subsection (1)(c)(iii).

49 (2) Before July 1, 2025, the department shall apply for a Medicaid waiver with CMS to provide wraparound services to qualified individuals:

51 (a) as state funding permits; and

52 (b) in a manner that requires qualified individuals to make cost sharing payments according to the sliding scale described in Subsection (3).

54 (3)

(a) The department shall establish a sliding scale for services received under this section that:

## HB0310 compared with HB0310S01

- 56 (i) is based on household income in relation to the federal poverty level; and
- 57 (ii) is used to determine the percentage of the cost of a wraparound service that a qualified individual is required to pay.
- 59 (b) The percentage of the cost of wraparound services that a qualified individual is required to pay:
- 61 (i) may not be less than ~~{100}~~ 10% for a qualified individual with a household income greater than ~~{\$125,000}~~ 400% of the federal poverty level; and
- 63 (ii) for a qualified individual with a household income less than or equal to ~~{\$125,000}~~ 400% of the federal poverty level, shall be determined according to income categories established by the department as provided in Subsection (4).
- 66 (c) Notwithstanding Subsection (3)(b), the amount paid by a qualified individual under Subsection (3) (b) may not exceed:
- 68 (i) ~~{\$2,900}~~ \$1,500 per month for a qualified individual with a household income greater than ~~{\$125,000}~~ 400% of the federal poverty level; and
- 70 (ii) for a qualified individual with a household income less than or equal to ~~{\$125,000}~~ 400% of the federal poverty level, an amount determined according to income categories established by the department as provided in Subsection (4).
- 73 (d) The department shall credit the amount of premium payments that a qualified individual makes for minimum essential coverage other than Medicaid toward the amount that a qualified individual is required to pay for wraparound services under this section.
- 77 (4) The department shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:
- 79 (a) establish the income categories, percentages, and maximum payment amounts described in Subsection (3); and
- 81 (b) provide continuous enrollment for 12 months for a qualified individual who receives wraparound services in accordance with this section.
- 83 (5) If a waiver or state plan amendment described in Subsection (2) is approved, the department shall provide wraparound services in accordance with this section.

85 Section 2. **Effective date.**

This bill takes effect on May 7, 2025.

2-18-25 2:15 PM