

Jennifer Dailey-Provost proposes the following substitute bill:

Disability Coverage Amendments

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jennifer Dailey-Provost

Senate Sponsor: Luz Escamilla

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- defines terms;
- 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;
- 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;
- specifies certain percentages and maximum payment amounts for the sliding scale established by the department; and
- requires the department to make rules.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

26B-3-229, Utah Code Annotated 1953

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

Section 1. Section **26B-3-229** is enacted to read:

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
- 31 recently revised poverty income guidelines published by the United States
- 32 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.
- 34 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
- 40 asset requirements for enrollment in the state Medicaid program;
- 41 (v) has a household income that is between 250% and 800% of the federal poverty
- 42 level; and
- 43 (vi) has assets, excluding one home and one automobile, that are valued at less than
- 44 \$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
- 48 (1)(c)(iii).
- 49 (2) Before July 1, 2025, the department shall apply for a Medicaid waiver with CMS to
- 50 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
- 53 according to the sliding scale described in Subsection (3).
- 54 (3)(a) The department shall establish a sliding scale for services received under this
- 55 section that:
- 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
- 58 qualified individual is required to pay.
- 59 (b) The percentage of the cost of wraparound services that a qualified individual is
- 60 required to pay:
- 61 (i) may not be less than 10% for a qualified individual with a household income
- 62 greater than 400% of the federal poverty level; and

63 (ii) for a qualified individual with a household income less than or equal to 400% of
64 the federal poverty level, shall be determined according to income categories
65 established by the department as provided in Subsection (4).

66 (c) Notwithstanding Subsection (3)(b), the amount paid by a qualified individual under
67 Subsection (3)(b) may not exceed:

68 (i) \$1,500 per month for a qualified individual with a household income greater than
69 400% of the federal poverty level; and

70 (ii) for a qualified individual with a household income less than or equal to 400% of
71 the federal poverty level, an amount determined according to income categories
72 established by the department as provided in Subsection (4).

73 (d) The department shall credit the amount of premium payments that a qualified
74 individual makes for minimum essential coverage other than Medicaid toward the
75 amount that a qualified individual is required to pay for wraparound services under
76 this section.

77 (4) The department shall make rules in accordance with Title 63G, Chapter 3, Utah
78 Administrative Rulemaking Act, to:

79 (a) establish the income categories, percentages, and maximum payment amounts
80 described in Subsection (3); and

81 (b) provide continuous enrollment for 12 months for a qualified individual who receives
82 wraparound services in accordance with this section.

83 (5) If a waiver or state plan amendment described in Subsection (2) is approved, the
84 department shall provide wraparound services in accordance with this section.

85 Section 2. **Effective date.**

86 This bill takes effect on May 7, 2025.