

The Legislature intends that the Departments of Health and Workforce Services report to the Office of the Legislative Fiscal Analyst by July 1, 2020 on the costs and revenue associated with implementing cost sharing for families with incomes above 150% of the federal poverty level on Medicaid waiver programs for children.

(Explanation: NCSL 1/31/20 email correspondence“ [Section 1916\(a\)\(1\)](#) of the Social Security Act prohibits charging premiums with an exception outlined at Section 1916(c), which allows specifically for premiums to be charged to individuals with incomes above 150% of the federal poverty level (FPL). Based off our reading of this section, a state could potentially charge premiums similar to the Utah work incentive for children with incomes above 150% FPL. This information would also apply to children with disabilities enrolled in waiver programs. According to [this chart](#) from the Kaiser Family Foundation, 4 states charge enrollment fees or premiums for children – CA, MD, MI, and VT and they’re all above 150% FPL.”)