

1 **PILOT PROGRAM FOR ASSISTANCE FOR CHILDREN**
2 **WITH DISABILITIES AND COMPLEX MEDICAL**
3 **CONDITIONS**

4 2015 GENERAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: Edward H. Redd**

7 Senate Sponsor: Curtis S. Bramble

9 **LONG TITLE**

10 **General Description:**

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

13 **Highlighted Provisions:**

14 This bill:

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

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 ENACTS:

23 **26-18-410**, Utah Code Annotated 1953

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

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

27 **26-18-410**. **Medicaid waiver for children with disabilities and complex medical**



28 **needs.**

29 (1) As used in this section:

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

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

32 (ii) is likely to:

33 (A) last at least 12 months; or

34 (B) result in death.

35 (b) "Program" means the program for children with complex medical conditions

36 created in Subsection (3).

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

38 (i) is less than 19 years old;

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

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

41 (iv) meets the additional eligibility criteria determined by the department under

42 Subsection (4).

43 (2) The department shall apply for a Medicaid home and community-based waiver with

44 the Centers for Medicare and Medicaid Services within the United States Department of Health

45 and Human Services to implement, within the state Medicaid program, the program described

46 in Subsection (3).

47 (3) If the waiver described in Subsection (2) is approved, the department shall offer a

48 program that:

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

50 (b) accepts applications for the program during periods of open enrollment.

51 (4) The department shall:

52 (a) seek to prioritize, in the waiver described in Subsection (2), entrance into the

53 program based on the:

54 (i) complexity of a qualified child's medical condition; and

55 (ii) financial needs of a qualified child and the qualified child's family;

56 (b) convene a public process to determine:

57 (i) the benefits and services to offer a qualified child under the program; and

58 (ii) additional eligibility criteria for a qualified child; and

- 59 (c) evaluate, on an ongoing basis, the cost and effectiveness of the program.
60 (5) The department shall annually report to the Legislature's Health and Human
61 Services Interim Committee before November 30 while the waiver is in effect regarding:
62 (a) the number of qualified children served under the program;
63 (b) the cost of the program; and
64 (c) the effectiveness of the program.
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Legislative Review Note
as of 1-26-15 1:25 PM

Office of Legislative Research and General Counsel