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ACCESS TO HEALTH CARE

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Allen M. Christensen

House Sponsor: _____

LONG TITLE

General Description:

This bill amends the Medical Assistance Act within the Utah Health Code.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ extends access to health care to individuals not currently eligible for Medicaid who

are:

- below 100% of the federal poverty level;
- medically frail;
- uninsured; and
- vulnerable to becoming disabled; and

- ▶ instructs the Utah Department of Health to obtain from the Centers for Medicare

and Medicaid Services within the United States Department of Health and Human Services waivers from federal law necessary to implement the coverage for the medically frail.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:



28 AMENDS:

29 **26-18-18**, as enacted by Laws of Utah 2013, Chapter 477



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

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

33 **26-18-18. Optional Medicaid expansion.**

34 (1) For purposes of this section:

35 (a) "CMS" means the Centers for Medicare and Medicaid Services within the United
36 States Department of Health and Human Services.

37 (b) "Medically frail" means an individual who is:

38 (i) medically exempt under 42 C.F.R. 440.315;

39 (ii) in the optional expansion population;

40 (iii) below 100% of the federal poverty level;

41 (iv) uninsured; and

42 (v) likely to become disabled without access to health care.

43 (c) "Optional expansion population" means the newly eligible adult group authorized
44 under PPACA.

45 (d) "PPACA" [is-as] means the same as that term is defined in Section 31A-1-301.

46 (2) The department and the governor shall not expand the state's Medicaid program to
47 the optional expansion population under PPACA unless[~~:~~] the department obtains a waiver in
48 accordance with Subsection (3).

49 [~~(a) the Health Reform Task Force has completed a thorough analysis of a statewide~~
50 ~~charity care system;]~~

51 [~~(b) the department and its contractors have:]~~

52 [~~(i) completed a thorough analysis of the impact to the state of expanding the state's~~
53 ~~Medicaid program to optional populations under PPACA; and]~~

54 [~~(ii) made the analysis conducted under Subsection (2)(b)(i) available to the public;]~~

55 [~~(c) the governor or the governor's designee has reported the intention to expand the~~
56 ~~state Medicaid program under PPACA to the Legislature in compliance with the legislative~~
57 ~~review process in Sections 63M-1-2505.5 and 26-18-3; and]~~

58 [~~(d) notwithstanding Subsection 63J-5-103(2), the governor submits the request for~~

59 expansion of the Medicaid program for optional populations to the Legislature under the high
60 impact federal funds request process required by Section ~~63J-5-204~~, Legislative review and
61 approval of certain federal funds request.]

62 (3) The department shall amend the state Medicaid plan and obtain from CMS waivers
63 from federal statutory and regulatory law necessary to establish a five year pilot program to:

64 (a) provide access to care for a segment of the uninsured population in the state who
65 are vulnerable to becoming disabled due to their medical frailty;

66 (b) establish a screening process for identifying the medically frail;

67 (c) provide a medically frail individual who is offered employer sponsored health
68 insurance the option to enroll in the employer sponsored coverage, as provided in Section 1906
69 of the Social Security Act;

70 (d) improve health and behavioral outcomes of the demonstration participants; and

71 (e) serve as a bridge to closing the coverage gap in Utah.

72 (4) The waiver obtained under Subsection (3) may not include a maintenance of effort
73 requirement for the state's coverage of the medically frail.

74 (5) The department shall adopt administrative rules to:

75 (a) implement coverage of the medically frail in accordance with this section; and

76 (b) establish criteria to evaluate enrollees who are medically frail.

Legislative Review Note
as of 1-14-15 11:13 AM

Office of Legislative Research and General Counsel