

IN THE SENATE

SENATE BILL NO. 1100

BY HEALTH AND WELFARE COMMITTEE

AN ACT

1 RELATING TO MEDICAID ELIGIBILITY EXPANSION; AMENDING SECTION 56-267, IDAHO  
2 CODE, TO PROVIDE THAT THE DEPARTMENT OF HEALTH AND WELFARE SHALL IN-  
3 FORM CERTAIN MEDICAID PARTICIPANTS OF THE DEPARTMENT'S EMPLOYMENT AND  
4 TRAINING PROGRAM AND OFFER THE OPPORTUNITY TO ENROLL IN SUCH PROGRAM,  
5 TO ESTABLISH PROVISIONS REGARDING PREMIUM ASSISTANCE FOR A QUALIFIED  
6 HEALTH PLAN, TO PROVIDE FOR RESEARCH ON WAIVER OPPORTUNITIES FOR SUB-  
7 STANCE ABUSE AND MENTAL HEALTH SERVICES, TO PROVIDE FOR A REVIEW OF AND  
8 A RECOMMENDATION REGARDING MEDICAID ELIGIBILITY EXPANSION, TO PROVIDE  
9 THAT THE PROVISIONS OF THIS SECTION SHALL BE NULL, VOID, AND OF NO FORCE  
10 AND EFFECT UNDER CERTAIN CIRCUMSTANCES, AND TO MAKE TECHNICAL CORREC-  
11 TIONS; AND DECLARING AN EMERGENCY.  
12

13 Be It Enacted by the Legislature of the State of Idaho:

14 SECTION 1. That Section 56-267, Idaho Code, be, and the same is hereby  
15 amended to read as follows:

16 56-267. MEDICAID ELIGIBILITY EXPANSION. (1) Notwithstanding any pro-  
17 vision of law or federal waiver to the contrary, the state shall amend its  
18 state plan to expand Medicaid eligibility to include those persons under  
19 sixty-five (65) years of age whose modified adjusted gross income is one hun-  
20 dred thirty-three percent (133%) of the federal poverty level or below and  
21 who are not otherwise eligible for any other coverage under the state plan,  
22 in accordance with sections 1902(a)(10)(A)(i)(VIII) and 1902(e)(14) of the  
23 Social Security Act.

24 (2) No later than ninety (90) days after approval of this act section,  
25 the department shall submit any necessary state plan amendments to the  
26 United States Department of Health and Human Services, Centers for  
27 Medicare and Medicaid Services to implement the provisions of this  
28 section. The department is required and authorized to take all actions nec-  
29 essary to implement the provisions of this section as soon as practicable.

30 (3) The department shall inform Medicaid participants eligible pur-  
31 suant to this section of the department's employment and training program  
32 and offer to such participants the opportunity to enroll in the program.

33 (4) If a person with a modified adjusted gross income above one hundred  
34 percent (100%) of the federal poverty level is eligible for Medicaid pur-  
35 suant to subsection (1) of this section, the department shall, to the extent  
36 possible, provide premium assistance to purchase a qualified health plan  
37 through the Idaho health insurance exchange established by chapter 61, title  
38 41, Idaho Code, to such person, instead of enrolling such person in Medicaid.  
39 The department will limit the choice of qualified health plans to ensure  
40 cost-effective coverage. The department is authorized to seek any waiver or  
41 other approval necessary to implement the provisions of this subsection.

1       (5) The director shall research options for federal waivers to enable  
2 cost-efficient use of medicaid funds to pay for substance abuse and mental  
3 health services in institutions for mental disease.

4       (6) No later than January 31, 2023, the senate and house of represen-  
5 tatives health and welfare committees shall review all health, fiscal, and  
6 other impacts of medicaid eligibility expansion pursuant to this section and  
7 shall make a recommendation to the legislature as to whether such expansion  
8 should remain in effect.

9       (7) If federal financial participation for persons identified in sub-  
10 section (1) of this section is reduced below the ninety percent (90%) commit-  
11 ment described in 42 U.S.C. 1396d(y), this section shall become null, void,  
12 and of no force and effect at the end of the next legislative session or at the  
13 end of the current legislative session if the legislature is in session at  
14 the time such reduction is made.

15       SECTION 2. An emergency existing therefor, which emergency is hereby  
16 declared to exist, this act shall be in full force and effect on and after its  
17 passage and approval.