



January 14, 2020

HOUSE BILL No. 1009

DIGEST OF HB 1009 (Updated January 14, 2020 9:28 am - DI 119)

Citations Affected: IC 12-14; IC 12-15.

Synopsis: Various welfare matters. Provides that money earned by a child or a member of the child's family as a student participating in a paid internship or a work based learning course is: (1) disregarded for purposes of determining eligibility for assistance or the amount of assistance for a child under the federal Temporary Assistance for Needy Families (TANF) program and the Supplemental Nutrition Assistance Program (SNAP); (2) disregarded for certain Medicaid category populations in determining eligibility for Medicaid; and (3) factored by applying a reasonable method to include a prorated portion of reasonably predictable future income in determining Medicaid eligibility for certain Medicaid category populations. Changes the amount of equity value in a motor vehicle disregarded for purposes of eligibility in the TANF program from \$5,000 to \$10,000.

Effective: January 1, 2021.

Goodrich, Huston, DeVon, Pryor

January 6, 2020, read first time and referred to Committee on Family, Children and Human Affairs.
January 14, 2020, amended, reported — Do Pass.

HB 1009—LS 7087/DI 104



January 14, 2020

Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1009

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-14-1-1.2 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2021]: **Sec. 1.2. (a) Except as otherwise provided by**
4 **federal law, income that an individual earns employed in a:**
5 **(1) paid internship; or**
6 **(2) work based learning course (as defined in IC 20-43-8-0.7);**
7 **may not be considered as a resource, asset, or income in**
8 **determining an applicant's or recipient's eligibility for assistance**
9 **under TANF.**
10 **(b) The division shall apply for any plan amendment, waiver, or**
11 **any other federal approval necessary to implement this section.**
12 **Upon approval, the division shall implement this section not later**
13 **than thirty (30) days from receipt of the federal approval.**
14 SECTION 2. IC 12-14-2-1 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. (a) After the
16 investigation under IC 12-14-1-6, the county office shall decide the
17 following:

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- 1 (1) Whether the child is eligible for assistance under this article.
 2 (2) The amount of assistance.
 3 (3) The date assistance begins.
 4 (b) The county office may not consider:
 5 (1) money in an individual development account under IC 4-4-28
 6 that belongs to the child or a member of the child's family;
 7 (2) ~~five~~ **ten** thousand dollars (~~\$5,000~~) (**\$10,000**) of equity value
 8 (as defined in 470 IAC 10.1-3-1) in one (1) motor vehicle that
 9 belongs to a member of the child's family; ~~or~~
 10 (3) a Holocaust victim's settlement payment received by the child
 11 or a member of the child's family; ~~or~~
 12 **(4) money earned by the child or a member of the child's**
 13 **family as a student participating in a paid internship or work**
 14 **based learning course (as defined in IC 20-43-8-0.7);**
 15 when determining whether the child is eligible for assistance under this
 16 article.

17 SECTION 3. IC 12-14-2-3 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 3. (a) Except as
 19 provided in subsection (b), when determining the amount of assistance,
 20 an accounting must be taken of any income or property of the child that
 21 the child may receive from another source.

22 (b) The following may not be considered as income or property of
 23 the child when determining the amount of assistance for the child:

- 24 (1) Money in an individual development account established
 25 under IC 4-4-28 that belongs to a child or a member of the child's
 26 family.
 27 (2) A Holocaust victim's settlement payment received by the child
 28 or a member of the child's family.
 29 **(3) Money earned by the child or a member of the child's**
 30 **family as a student participating in a paid internship or a**
 31 **work based learning course (as defined in IC 20-43-8-0.7).**

32 SECTION 4. IC 12-14-30-5 IS ADDED TO THE INDIANA CODE
 33 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 34 JANUARY 1, 2021]: Sec. 5. **(a) Except as otherwise provided by**
 35 **federal law, income that an individual earns employed in a paid**
 36 **internship or a work based learning course (as defined in**
 37 **IC 20-43-8-0.7) may not be considered as a resource, asset, or**
 38 **income in determining an applicant's or recipient's eligibility for**
 39 **SNAP assistance.**

40 **(b) The division shall apply for any plan amendment, waiver, or**
 41 **any other federal approval necessary to implement this section.**
 42 **Upon approval, the division shall implement this section not later**



1 **than thirty (30) days from receipt of the federal approval.**

2 SECTION 5. IC 12-15-2-17.5 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JANUARY 1, 2021]: **Sec. 17.5. (a) This section applies**
5 **beginning on the date on which the United States Department of**
6 **Health and Human Services approves the request for changes by**
7 **the office under this section.**

8 **(b) This subsection applies to applicants or recipients who are**
9 **exempt from the use of modified adjusted gross income (MAGI) as**
10 **described in 42 U.S.C. 1396a(e)(14)(D) in determining eligibility.**
11 **The office may not consider income earned by:**

12 **(1) an applicant;**

13 **(2) a recipient; or**

14 **(3) a member of the applicant's or recipient's family;**
15 **participating in a work based learning course (as defined in**
16 **IC 20-43-8-0.7) as income in determining the applicant's or**
17 **recipient's eligibility for Medicaid.**

18 **(c) For an applicant or recipient for whom the modified**
19 **adjusted gross income (MAGI) is applicable, the office shall elect**
20 **to apply a reasonable method to include a prorated portion of**
21 **reasonably predictable future income as a factor concerning the**
22 **income earned by the applicant or recipient by participating in a**
23 **work based learning course, as set forth in 42 CFR 435.603(h)(3).**

24 **(d) The office shall apply for any state plan amendment or**
25 **Medicaid waiver necessary to implement this section.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1009, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 5 with "[EFFECTIVE JANUARY 1, 2021]".

Page 3, line 15, delete "a resource" and insert "**income**".

and when so amended that said bill do pass.

(Reference is to HB 1009 as introduced.)

DEVON

Committee Vote: yeas 11, nays 0.

