

HOUSE BILL No. 1392

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-15-2-27.

Synopsis: Medicaid work requirements. Sets forth work requirements for certain individuals in order to be eligible for Medicaid. Makes exceptions. Requires the office of the secretary of family and social services to apply for any state plan amendment or Medicaid waiver necessary and to continue to apply for the plan amendment or waiver request if the plan amendment or waiver is denied by the United States Department of Health and Human Services.

Effective: July 1, 2024.

Slager

January 11, 2024, read first time and referred to Committee on Public Health.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1392

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

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

1 SECTION 1. IC 12-15-2-27 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2024]: **Sec. 27. (a) This section is effective beginning on the date**
4 **on which the United States Department of Health and Human**
5 **Services approves the request for changes by the office of the**
6 **secretary under this section.**
7 **(b) This section does not apply to the following individuals:**
8 **(1) An individual who is less than nineteen (19) years of age.**
9 **(2) An individual who is at least sixty-five (65) years of age.**
10 **(3) An individual who is medically certified as physically or**
11 **mentally unfit for employment, as determined by the office of**
12 **the secretary.**
13 **(4) A pregnant individual.**
14 **(5) A parent or caretaker who is responsible for the care of a**
15 **dependent child who:**
16 **(A) is less than six (6) years of age; or**
17 **(B) has a serious medical condition or disability, as**



- 1 determined by the office of the secretary.
- 2 **(6) A child or relative who is responsible for the care of an**
- 3 **adult family member to prevent the family member from**
- 4 **entering a nursing facility.**
- 5 **(7) An individual who is receiving unemployment**
- 6 **compensation and is complying with work requirements that**
- 7 **are a condition of receiving unemployment compensation**
- 8 **under IC 22-4.**
- 9 **(8) An individual who is participating in a substance use**
- 10 **disorder treatment or rehabilitation program, as determined**
- 11 **by the office of the secretary.**
- 12 **(9) An individual who provides good cause for an exemption,**
- 13 **as determined by the office of the secretary.**
- 14 **(c) Notwithstanding any other law, in order to be eligible to**
- 15 **receive Medicaid under this article, an individual shall meet at**
- 16 **least one (1) of the following requirements:**
- 17 **(1) Work at least twenty (20) hours per week on an average**
- 18 **monthly basis.**
- 19 **(2) Participate in and comply with a work program approved**
- 20 **by the office of the secretary for at least twenty (20) hours per**
- 21 **week.**
- 22 **(3) Volunteer at least twenty (20) hours per week.**
- 23 **(4) Work and participate in and comply with a work program**
- 24 **approved by the office of the secretary, the combination of**
- 25 **which equals at least twenty (20) hours per week.**
- 26 **(5) Participate in and comply with the requirements of a**
- 27 **workfare program approved by the office of the secretary.**
- 28 **The office of the secretary shall establish a reporting process for**
- 29 **meeting the requirements of this subsection that provides**
- 30 **safeguards to ensure that eligible individuals do not lose Medicaid**
- 31 **coverage, including individuals exempt from reporting under this**
- 32 **section. Any determination of loss of coverage must be subject to**
- 33 **any appeal or review procedure under IC 4-21.5.**
- 34 **(d) Before February 1, 2025, the office of the secretary shall**
- 35 **apply to the United States Department of Health and Human**
- 36 **Services for any state plan amendment or Medicaid waiver**
- 37 **necessary to implement this section.**
- 38 **(e) If the United States Department of Health and Human**
- 39 **Services denies the state plan amendment or Medicaid waiver**
- 40 **applied for under subsection (d), or if the state plan amendment or**
- 41 **waiver is withdrawn for any reason, the office of the secretary shall**
- 42 **resubmit a request for approval not later than twenty-four (24)**



1 **months from each denial or withdrawal.**

