

1.1 A bill for an act
1.2 relating to human services; clarifying the meaning of the household size
1.3 methodology for pregnant women under medical assistance; amending Minnesota
1.4 Statutes 2016, section 256B.056, subdivision 1a.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2016, section 256B.056, subdivision 1a, is amended to read:

1.7 Subd. 1a. **Income and assets generally.** (a)(1) Unless specifically required by state law
1.8 or rule or federal law or regulation, the methodologies used in counting income and assets
1.9 to determine eligibility for medical assistance for persons whose eligibility category is based
1.10 on blindness, disability, or age of 65 or more years, the methodologies for the Supplemental
1.11 Security Income program shall be used, except as provided under subdivision 3, paragraph
1.12 (a), clause (6).

1.13 (2) Increases in benefits under title II of the Social Security Act shall not be counted as
1.14 income for purposes of this subdivision until July 1 of each year. Effective upon federal
1.15 approval, for children eligible under section 256B.055, subdivision 12, or for home and
1.16 community-based waiver services whose eligibility for medical assistance is determined
1.17 without regard to parental income, child support payments, including any payments made
1.18 by an obligor in satisfaction of or in addition to a temporary or permanent order for child
1.19 support, and Social Security payments are not counted as income.

1.20 (b)(1) The modified adjusted gross income methodology as defined in the Affordable
1.21 Care Act shall be used for eligibility categories based on:

1.22 (i) children under age 19 and their parents and relative caretakers as defined in section
1.23 256B.055, subdivision 3a;

- 2.1 (ii) children ages 19 to 20 as defined in section 256B.055, subdivision 16;
- 2.2 (iii) pregnant women as defined in section 256B.055, subdivision 6;
- 2.3 (iv) infants as defined in sections 256B.055, subdivision 10, and 256B.057, subdivision
- 2.4 8; and
- 2.5 (v) adults without children as defined in section 256B.055, subdivision 15.

2.6 For these purposes, a "methodology" does not include an asset or income standard, or

2.7 accounting method, or method of determining effective dates.

2.8 (2) For individuals whose income eligibility is determined using the modified adjusted

2.9 gross income methodology in clause (1), the commissioner shall subtract from the individual's

2.10 modified adjusted gross income an amount equivalent to five percent of the federal poverty

2.11 guidelines.

2.12 (3) In determining the family size of a pregnant woman for purposes of medical assistance

2.13 eligibility, the commissioner shall count the pregnant woman plus the number of children

2.14 she is expected to deliver, as required under Code of Federal Regulations, title 42, part

2.15 435.603. This household size methodology for pregnant women means that an unborn child

2.16 shall be considered to be a human being for purposes of developing, administering, and

2.17 interpreting state law and policy.