

# HOUSE BILL NO. 2091

## 101ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE WRIGHT.

4132H.02I

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to eligibility for MO HealthNet benefits.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 208, RSMo, is amended by adding thereto one new section, to be known as section 208.057, to read as follows:

**208.057. 1. For purposes of this section, the following terms mean:**

(1) "Dependent", a person who is receiving MO HealthNet benefits whose eligibility is at least partly based on the income level of another person or persons;

(2) "Recipient", a person receiving MO HealthNet benefits for his or her own health care needs;

(3) "Recipient caretaker", a person who is not receiving MO HealthNet benefits for his or her own health care needs but whose income level affects the MO HealthNet eligibility of another person who is receiving MO HealthNet benefits.

2. The department of social services shall establish a payroll deduction program to assist recipients and recipient caretakers while they work toward gaining employment, increasing income, or obtaining work-related education or training. Participation in the program shall be voluntary. The program is intended to allow recipients and recipient caretakers who are capable of working to maintain MO HealthNet benefits for themselves or their dependents while they obtain gainful employment, with the goal of each recipient and recipient caretaker eventually having an income level that is sufficient for him or her, or his or her dependent or dependents,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

17 to transition to a commercial insurance program if he or she finds it financially  
18 beneficial.

19 3. Notwithstanding any other provision of law, any recipient or recipient  
20 caretaker who becomes ineligible for MO HealthNet benefits or whose dependent  
21 becomes ineligible for MO HealthNet benefits due to increased income from  
22 employment may retain eligibility for such benefits for himself or herself or his or  
23 her dependent if such recipient or recipient caretaker pays a premium as a participant  
24 in the program established under this section.

25 4. The monthly premium for each person who retains eligibility for MO  
26 HealthNet benefits as described under subsection 3 of this section shall be calculated as  
27 follows:

28 (1) For recipients or recipient caretakers whose income exceeds the maximum  
29 allowable monthly income level for the applicable family size based upon the federal  
30 poverty level by no more than five hundred dollars, the monthly premium shall equal  
31 the product of twenty-five hundredths multiplied by the amount by which the recipient's  
32 or recipient caretaker's income exceeds such maximum; and

33 (2) For recipients or recipient caretakers whose income exceeds the maximum  
34 allowable monthly income level for the applicable family size based upon the federal  
35 poverty level by more than five hundred dollars, the monthly premium shall equal one  
36 hundred twenty-five dollars plus the product of fifty hundredths multiplied by the  
37 difference between the amount by which the recipient's or recipient caretaker's income  
38 exceeds such maximum minus five hundred dollars.

39 5. The recipient or recipient caretaker shall pay the premium on a monthly basis  
40 or on a periodic basis if through a payroll deduction consistent with the payroll period  
41 of the recipient's or recipient caretaker's employer.

42 6. Participants in the program who fail to pay the premium owed shall lose all  
43 MO HealthNet benefits for themselves or their dependents after sixty days of  
44 nonpayment.

45 7. The department of social services shall develop a payroll deduction program  
46 in conjunction with the department of revenue and shall promulgate rules for the  
47 payment of premiums through such payroll deduction program or via an alternate  
48 method to be determined by the department of social services.

49 8. The department of social services shall pursue all necessary waivers from the  
50 federal government to implement this section.

51 9. Participants in the program shall also be eligible for voluntary training  
52 regarding interview skills, education options, and other necessary tools in order to  
53 broaden their employment opportunities or pursue their desired career field.

54           **10. The department of social services shall promulgate all necessary rules and**  
55 **regulations for the administration of this section including, but not limited to, rules**  
56 **related to premium amounts to be set for recipients and recipient caretakers under the**  
57 **program and rules for the payment of premiums through an optional payroll deduction**  
58 **program and through an optional payment method. Any rule or portion of a rule, as**  
59 **that term is defined in section 536.010, that is created under the authority delegated in**  
60 **this section shall become effective only if it complies with and is subject to all of the**  
61 **provisions of chapter 536 and, if applicable, section 536.028. This section and chapter**  
62 **536 are nonseverable, and if any of the powers vested with the general assembly**  
63 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**  
64 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**  
65 **and any rule proposed or adopted after August 28, 2022, shall be invalid and void.**

66           **11. Under section 23.253 of the Missouri sunset act:**

67           **(1) The provisions of the new program authorized under this section shall**  
68 **automatically sunset five years after the effective date of this section unless reauthorized**  
69 **by an act of the general assembly; and**

70           **(2) If such program is reauthorized, the program authorized under this section**  
71 **shall automatically sunset five years after the effective date of the reauthorization of this**  
72 **section; and**

73           **(3) This section shall terminate on September first of the calendar year**  
74 **immediately following the calendar year in which the program authorized under this**  
75 **section is sunset.**

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