

SENATE BILL NO. 224

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR ONDER.

0503S.01H

ADRIANE D. CROUSE, Secretary

AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to work and community engagement requirements for certain MO HealthNet participants.

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

Section A. Chapter 208, RSMo, is amended by adding thereto
2 one new section, to be known as section 208.185, to read as
3 follows:

208.185. 1. Beginning January 1, 2022, MO HealthNet
2 participants ages nineteen to sixty-four shall comply with
3 the work and community engagement requirements under this
4 section in order to remain eligible for MO HealthNet
5 benefits, unless such participant is otherwise exempt from
6 such requirements. Work and community engagement
7 requirements shall include at least eighty hours each month
8 of the following:

9 (1) Unsubsidized or subsidized private or public
10 sector employment;

11 (2) Education, including vocational educational
12 training, job skills training directly related to
13 employment, education directly related to employment for
14 individuals who have not received a high school diploma or
15 certificate of high school equivalency, or satisfactory
16 attendance at a secondary school;

17 (3) Community service;

18 (4) Job search and job readiness assistance;

19 (5) Provision of child care services to an individual
20 who is participating in a community service program;

21 (6) Satisfaction of work requirements for participants
22 of temporary assistance for needy families or the
23 supplemental nutrition assistance program who are also MO
24 HealthNet participants;

25 (7) Participation in a substance abuse treatment
26 program; or

27 (8) Any combination thereof.

28 2. The work and community engagement requirements
29 under this section shall not apply to a participant who is:

30 (1) Under the age of nineteen or over the age of sixty-
31 four;

32 (2) Medically frail, including individuals:

33 (a) With disabling mental disorders;

34 (b) With serious and complex medical conditions;

35 (c) With a physical, intellectual, or developmental
36 disability that significantly impairs their ability to
37 perform one or more activities of daily living; or

38 (d) With a disability determination based on criteria
39 under the Social Security Act, including a current
40 determination by the department of social services that he
41 or she is permanently or totally disabled;

42 (3) Pregnant or caring for a child under the age of
43 one or otherwise a recipient of MO HealthNet services under
44 section 208.662;

45 (4) A primary caregiver of a dependent child under the
46 age of six or a dependent adult; provided, that not more
47 than one participant may claim primary caregiver status in a
48 household; or

49 (5) A participant who is also a participant of
50 temporary assistance for needy families or the supplemental

51 nutrition assistance program and who is exempt from the work
52 requirements of either of those programs.

53 3. In order that work and community engagement
54 requirements shall not be impossible or unduly burdensome
55 for participants, the department may permit further
56 exemptions from the work and community engagement
57 requirements under this section in areas of high
58 unemployment, limited economies or educational
59 opportunities, or lack of public transportation, or for good
60 cause. Good cause shall include, but not be limited to, the
61 following circumstances:

62 (1) The participant has a disability as defined by the
63 Americans with Disabilities Act, Section 504 of the
64 Rehabilitation Act of 1973, or Section 1557 of the Patient
65 Protection and Affordable Care Act and is unable to meet the
66 work and community engagement requirements for reasons
67 related to that disability;

68 (2) The participant has an immediate family member in
69 the home with a disability as defined by the Americans with
70 Disabilities Act, Section 504 of the Rehabilitation Act of
71 1973, or Section 1557 of the Patient Protection and
72 Affordable Care Act and the participant is unable to meet
73 the work and community engagement requirements for reasons
74 related to the disability of such family member;

75 (3) The participant or an immediate family member in
76 the home experiences a hospitalization or serious illness;

77 (4) The participant experiences the birth or death of
78 a family member in the home;

79 (5) The participant experiences severe inclement
80 weather, including a natural disaster, and is unable to meet
81 the work and community engagement requirements; and

82 (6) The participant experiences a family emergency or
83 other life-changing event, including divorce or domestic
84 violence.

85 4. The department shall provide reasonable
86 accommodations for participants with disabilities as defined
87 by the Americans with Disabilities Act, Section 504 of the
88 Rehabilitation Act of 1973, or Section 1557 of the Patient
89 Protection and Affordable Care Act, as necessary, to enable
90 such participants an equal opportunity to participate in and
91 benefit from the work and community engagement requirements
92 under this section. Reasonable accommodations shall
93 include, but not be limited to, the following:

94 (1) Exemption from the work and community engagement
95 requirements when the participant is unable to comply for
96 reasons relating to his or her disability;

97 (2) Modification in the number of hours of work and
98 community engagement required when a participant is unable
99 to comply with the required number of hours; and

100 (3) Provision of support services necessary for
101 compliance, when compliance is possible with such supports.

102 5. The department may promulgate rules and regulations
103 to implement the provisions of this section. Any rule or
104 portion of a rule, as that term is defined in section
105 536.010, that is created under the authority delegated in
106 this section shall become effective only if it complies with
107 and is subject to all of the provisions of chapter 536 and,
108 if applicable, section 536.028. This section and chapter
109 536 are nonseverable and if any of the powers vested with
110 the general assembly pursuant to chapter 536, to review, to
111 delay the effective date, or to disapprove and annul a rule
112 are subsequently held unconstitutional, then the grant of

113 rulemaking authority and any rule proposed or adopted after
114 August 28, 2021, shall be invalid and void.

115 6. The department shall seek all appropriate waivers
116 and state plan amendments from the federal Department of
117 Health and Human Services necessary to implement the
118 provisions of this section. The provisions of this section
119 shall not be implemented unless such waivers and state plan
120 amendments are approved.

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