

2024 -- H 7028

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LC003800
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

RELATING TO HUMAN SERVICES -- HEALTH CARE FOR ELDERLY AND DISABLED
RESIDENTS ACT

Introduced By: Representatives Potter, Tanzi, Morales, Nardone, Giraldo, Kislak,
Donovan, Cruz, and Sanchez

Date Introduced: January 05, 2024

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 40-8.5-1 of the General Laws in Chapter 40-8.5 entitled "Health Care
2 for Elderly and Disabled Residents Act" is hereby amended to read as follows:

3 **40-8.5-1. Categorically needy medical assistance coverage.**

4 (a) The department of human services is hereby authorized and directed to amend its Title
5 XIX state plan to provide for categorically needy medical assistance coverage as permitted pursuant
6 to Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq., as amended, to individuals who
7 ~~are sixty-five (65) years or older or~~ are disabled, as determined under § 1614(a)(3) of the Social
8 Security Act, 42 U.S.C. § 1382c(a)(3), as amended, whose income does not exceed ~~one hundred~~
9 ~~percent (100%)~~ one hundred eighty percent (180%) of the federal poverty level (as revised
10 annually) applicable to the individual's family size, and whose resources do not exceed four
11 thousand dollars (\$4,000) per individual, or six thousand dollars (\$6,000) per couple. The
12 department shall provide medical assistance coverage to such ~~elderly or~~ disabled persons in the
13 same amount, duration, and scope as provided to other categorically needy persons under the state's
14 Title XIX state plan.

15 (b) The department of human services is hereby authorized and directed to amend its Title
16 XIX state plan to provide for categorically needy medical assistance coverage as permitted pursuant
17 to Title XIX of the Social Security Act, 42 U.S.C. § 1396 et seq., as amended, to individuals who
18 are sixty-five (65) years or older as determined under § 1614(a)(3) of the Social Security Act, 42

1 [U.S.C. § 1382c\(a\)\(3\), as amended, whose income does not exceed one hundred eighty percent](#)
2 [\(180%\) of the federal poverty level \(as revised annually\) applicable to the individual's family size,](#)
3 [and whose resources do not exceed four thousand dollars \(\\$4,000\) per individual, or six thousand](#)
4 [dollars \(\\$6,000\) per couple. The department shall provide medical assistance coverage to such](#)
5 [elderly persons in the same amount, duration, and scope as provided to other categorically needy](#)
6 [persons under the state's Title XIX state plan.](#)

7 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO HUMAN SERVICES -- HEALTH CARE FOR ELDERLY AND DISABLED
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- 1 This act would increase the income limits for disabled individuals to one hundred eighty
- 2 percent of the federal poverty level to qualify for medical assistance coverage.
- 3 This act would take effect upon passage.

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