

2010 -- S 2484

LC01775

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2010

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - HEALTH CARE FOR CHILDREN
AND PREGNANT WOMEN

Introduced By: Senators Pichardo, C Levesque, Perry, and Crowley

Date Introduced: February 11, 2010

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-12.3-4 of the General Laws in Chapter 42-12.3 entitled "Health
2 Care for Children and Pregnant Women" is hereby amended to read as follows:
3 **42-12.3-4. "RIte track" program. --** There is hereby established a payor of last resort
4 program for comprehensive health care for children until they reach nineteen (19) years of age, to
5 be known as "RIte track". The department of human services is hereby authorized and directed to
6 amend its title XIX, and Title XXI state plan pursuant to title XIX [42 U.S.C. section 1396 et
7 seq.]and title XXI [42 U.S.C. section 1397 et seq.]of the Social Security Act, and to submit to the
8 U.S. department of health and human services an amendment to the global compact waiver as
9 necessary to provide for expanded Medicaid coverage through expanded family income
10 disregards for all children, until they reach nineteen (19) years of age, whose family income
11 levels are up to ~~two hundred fifty percent (250%)~~ three hundred percent (300%) of the federal
12 poverty level. Provided, however, that health care coverage provided under this section shall also
13 be provided in accordance to Title XIX of the Social Security Act, 42 U.S.C. section 1396 et seq.,
14 to a non citizen child who is lawfully residing in the United States, and who is otherwise eligible
15 for such assistance. The department is further authorized to promulgate any regulations necessary,
16 and in accord with title XIX [42 U.S.C. section 1396 et seq.]and title XXI [42 U.S.C. section
17 1397 et seq.]of the Social Security Act as necessary in order to implement the state plan
18 amendment. For those children who lack health insurance, and whose family incomes are in

1 excess of ~~two hundred fifty percent (250%)~~ three hundred percent (300%) of the federal poverty
2 level, the department of human services shall promulgate necessary regulations to implement the
3 program. The department of human services is further directed to ascertain and promulgate the
4 scope of services that will be available to those children whose family income exceeds the
5 maximum family income specified in the approved title XIX [42 U.S.C. section 1396 et seq.]and
6 title XXI [42 U.S.C. section 1397 et seq.]state plan amendment.

7 SECTION 2. Title 42 of the General Laws entitled "STATE AFFAIRS AND
8 GOVERNMENT" is hereby amended by adding thereto the following chapter:

9 CHAPTER 12.5

10 ALL KIDS HEALTH INSURANCE PROGRAM

11 **42-12.5-1. Short title.** – This chapter shall be known and may be cited as the “All Kids
12 Health Insurance Program Act.”

13 **42-12.5-2. Purpose.** – It is the purpose of this chapter to provide access to health
14 insurance or uninsured children in Rhode Island.

15 **42-12.5-3. Definitions.** – For the purpose of this chapter:

16 (1) “Child” means any resident of Rhode Island who is under the age of nineteen (19)
17 years, is uninsured, and is either a citizen or lawful permanent resident of the United States or
18 otherwise eligible for federal cost-sharing pursuant to the provisions of the federal Medicaid law.

19 (2) “Uninsured” means any eligible child who is not eligible for coverage under a group
20 plan, continuation coverage under a COBRA continuation provision, title XIX or title XXI of the
21 social security act or any state plan under title XIX or title XXI of the social security act (42 USC
22 1396) and does not have other health insurance coverage’ and

23 (i) Who as of the date on which the individual seeks coverage under this chapter, has
24 been without health insurance coverage for a period of at least six (6) months; provided, however,
25 that a child in a family for whom:

26 (A) Annual out of pocket medical expenses amount to ten percent (10%) or more of
27 income; or

28 (B) Health plan deductibles equal to or exceeding five percent (5%) of income shall be
29 exempt from this limitation; or

30 (ii) Who has experienced one of the following special events prior to submitting an
31 application for coverage under this chapter, provided that such a special event was not due to a
32 factor described in subsection 27-18.5-4(b) relating to nonpayment of premiums or fraud:

33 (A) Loss of group health plan coverage;

34 (B) Loss of COBRA coverage; or

1 (C) Loss of benefits under any state plan under title XIX or title XXI of the social
2 security act.

3 **42-12.5-4. All kids health insurance program.** – On or before January 1, 2011, the
4 department of human services is hereby directed to expand eligibility for health insurance
5 coverage under the RIte track program provided for in section 42-12.3-4 to any eligible uninsured
6 child. A child who is uninsured will be eligible for the all kids insurance program expansion of
7 the RIte track program contingent upon the following cost-sharing requirements:

8 (1) A child from a family with income between one hundred fifty percent (150%) and
9 three hundred percent (300%) of the federal poverty level, shall be required to pay a share of the
10 cost of health insurance based on the family’s ability to pay, provided that the cost-sharing for all
11 covered children in a family shall not exceed three percent (3%) of the family’s annual income
12 and provided, further that cost-sharing shall not be required to pay the total cost of the health
13 insurance.

14 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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1 This act would amend the RIte track program by increasing the qualifying family income
2 levels from 250% to 300% of the federal poverty level and by adding to those qualified to receive
3 benefits under the program children who are lawful permanent residents of the United States.

4 This act would also create the all kids health insurance program to provide health
5 insurance to previously uninsured children in Rhode Island.

6 This act would take effect upon passage.

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