

HEALTH CARE COVERAGE AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jennifer Dailey-Provost

Senate Sponsor: _____

LONG TITLE

General Description:

This bill amends the Medical Assistance Act.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the Division of Medicaid and Health Financing to apply for Medicaid waivers or state plan amendments to provide wraparound services to qualified individuals with a disability;
- ▶ requires qualified individuals who receive services under the waiver to make cost sharing payments according to a sliding scale established by the department;
- ▶ specifies certain percentages and maximum payment amounts for the sliding scale established by the department; and
- ▶ requires the Department of Health to make rules.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

26-18-427, Utah Code Annotated 1953



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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26-18-427** is enacted to read:

26-18-427. Wraparound services for qualified individuals with a disability.

(1) As used in this section:

(a) "Federal poverty level" means the same as that term is defined in Section [26-18-411](#).

(b) "Minimum essential coverage" means the same as that term is defined in 26 U.S.C. Sec. 5000A.

(c) "Qualified individual" means an individual who:

(i) is a disabled individual as defined in 42 U.S.C. Sec. 1382c;

(ii) within the past 12 months has been enrolled in the state Medicaid program;

(iii) is enrolled in minimum essential coverage other than the Medicaid program;

(iv) except as provided in Subsections (1)(c)(v) and (vi), does not meet the income or asset requirements for enrollment in the state Medicaid program;

(v) has a household income that is less than or equal to 500% of the federal poverty level; and

(vi) has assets, excluding one home and one automobile, that are valued at less than \$150,000.

(d) "Wraparound services" means services and benefits that:

(i) are covered by the Medicaid program; and

(ii) are not covered by the minimum essential coverage described in Subsection (1)(c)(iii).

(2) Before July 1, 2022, the division shall apply for a Medicaid waiver with CMS to provide wraparound services to qualified individuals:

(a) as state funding permits; and

(b) in a manner that requires qualified individuals to make cost sharing payments according to a sliding scale established by the department for services received under this section.

(3) (a) The sliding scale established by the department under Subsection (2)(b) shall be:

59 (i) based on household income; and
60 (ii) shall be used to determine the percentage of the cost of a wraparound service that a
61 qualified individual is required to pay.

62 (b) The percentage of the cost of a wraparound service that a qualified individual is
63 required to pay:

64 (i) may not exceed 0% for a qualified individual with a household income less than or
65 equal to \$15,000;

66 (ii) may not be less than 100% for a qualified individual with a household income
67 greater than \$125,000; and

68 (iii) for qualified individuals with a household income greater than \$15,000 and less
69 than or equal to \$125,000, shall be determined according to income categories established by
70 the department as provided in Subsection (4).

71 (c) Notwithstanding Subsection (3)(b), the amount paid by a qualified individual under
72 Subsection (3)(b) may not exceed:

73 (i) \$40 per month for a qualified individual with a household income less than or equal
74 to \$15,000;

75 (ii) \$2,900 per month for a qualified individual with a household income greater than
76 \$125,000; and

77 (iii) for qualified individuals with a household income greater than \$15,000 and less
78 than or equal to \$125,000, an amount determined according to income categories established
79 by the department as provided in Subsection (4).

80 (4) The department makes rules in accordance with Title 63G, Chapter 3, Utah
81 Administrative Rulemaking Act, to establish the income categories, percentages, and
82 maximum payment amounts described in Subsection (3).

83 (5) If a waiver or state plan amendment described in Subsection (2) is approved, the
84 department shall provide wraparound services in accordance with this section.