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DISABILITY COVERAGE AMENDMENTS

2023 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 Department of Health and Human Services (department) to apply for a Medicaid waiver or state plan amendment to provide wraparound services to qualified individuals with a disability;
- ▶ requires qualified individuals who receive services under the waiver or state plan amendment 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 to make rules.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:



28 [26-18-430](#), Utah Code Annotated 1953



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

31 Section 1. Section **26-18-430** is enacted to read:

32 **26-18-430. Wraparound services for qualified individuals with a disability.**

33 (1) As used in this section:

34 (a) "Federal poverty level" means the same as that term is described in Section

35 [26-18-411](#).

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

37 Sec. 5000A.

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

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

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

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

42 (iv) except as provided in Subsections (1)(c)(v) and (vi), does not meet the income or

43 asset requirements for enrollment in the state Medicaid program;

44 (v) has a household income that is between 250% and 500% of the federal poverty

45 level; and

46 (vi) has assets, excluding one home and one automobile, that are valued at less than

47 \$150,000.

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

49 (i) are covered by the Medicaid program; and

50 (ii) are not covered by the minimum essential coverage described in Subsection

51 (1)(c)(iii).

52 (2) Before July 1, 2023, the department shall apply for a Medicaid waiver with CMS to

53 provide wraparound services to qualified individuals:

54 (a) as state funding permits; and

55 (b) in a manner that requires qualified individuals to make cost sharing payments

56 according to the sliding scale described in Subsection (3).

57 (3) (a) The department shall establish a sliding scale for services received under this

58 section that:

59 (i) is based on household income; and
60 (ii) is 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 be less than 100% for a qualified individual with a household income
65 greater than \$125,000; and
66 (ii) for a qualified individual with a household income less than or equal to \$125,000,
67 shall be determined according to income categories established by the department as provided
68 in Subsection (4).
69 (c) Notwithstanding Subsection (3)(b), the amount paid by a qualified individual under
70 Subsection (3)(b) may not exceed:
71 (i) \$2,900 per month for a qualified individual with a household income greater than
72 \$125,000; and
73 (ii) for a qualified individual with a household income less than or equal to \$125,000,
74 an amount determined according to income categories established by the department as
75 provided in Subsection (4).
76 (d) The department shall credit the amount of premium payments that a qualified
77 individual makes for minimum essential coverage other than Medicaid toward the amount that
78 a qualified individual is required to pay for wraparound services under this section.
79 (4) The department shall make rules in accordance with Title 63G, Chapter 3, Utah
80 Administrative Rulemaking Act, to:
81 (a) establish the income categories, percentages, and maximum payment amounts
82 described in Subsection (3); and
83 (b) provide continuous enrollment for 12 months for a qualified individual who
84 receives wraparound services in accordance with this section.
85 (5) If a waiver or state plan amendment described in Subsection (2) is approved, the
86 department shall provide wraparound services in accordance with this section.