

---

## Appropriations Committee

---

### HB 2069

**Brief Description:** Concerning continuation of safety net benefits for persons with a physical or mental disability which makes them eligible for certain social services programs.

**Sponsors:** Representatives Hunter and Sullivan.

#### Brief Summary of Bill

- Modifies the eligibility criteria for the Medical Care Services and the Aged, Blind or Disabled Programs.
- Requires the Department of Social and Health Services (DSHS) to determine eligibility for the Essential Needs and Housing Services Program.

**Hearing Date:** 6/5/13

**Staff:** Andy Toulon (786-7178) and Linda Merelle (786-7092).

#### **Background:**

##### Medical Care Services.

Medical Care Services are a limited scope of medical care offered to persons who receive public assistance benefits as a result of a mental or physical disability and to recipients of drug and alcohol addiction services. Persons are eligible for medical care services if they are incapacitated from gainful employment for a minimum of 90 days and meet the income and resource eligibility requirements.

##### Aged, Blind or Disabled Assistance Program.

The Aged, Blind or Disabled Assistance program was established in 2011, pursuant to Engrossed Substitute House Bill 2082 (ESHB 2082). Under this program, the Department of Social and Health Services (DSHS) provides financial assistance to persons who meet the income, resource,

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

and incapacity standards, which include having a medical or mental health impairment that is likely to meet federal Supplemental Security Income (SSI) disability standards. The federal SSI standards include the requirement that an individual has a disability that is likely to continue for a minimum of 12 months and that prevents the individual from performing work that he or she was able to perform within the past 15 years. A person is not eligible for the Aged, Blind or Disabled program if there has been a final determination that he or she is not eligible for federal SSI.

#### Medicaid Expansion.

Medicaid is a federal-state partnership that provides an array of programs including services for medical care, mental health, long-term care, and substance abuse and chemical dependency. The Health Care Authority (HCA) is designated as the state agency for Medicaid, and it has responsibility for the medical programs. Other programs are coordinated with the DSHS.

The 2010 federal Patient Protection and Affordable Care Act (Affordable Care Act) included a number of changes to the Medicaid program, including a streamlining of the eligibility process. The Affordable Care Act gives the state the option, with federal financial support, to provide Medicaid services to a new category of adults, known as the expansion population. The expansion population includes adults aged 19 to 65 who have modified adjusted gross incomes below 133 percent of the federal poverty level. There is no requirement for disability for eligibility for the Medicaid expansion population.

#### Essential Needs and Housing Support Program.

The Essential Needs and Housing Support (ENHS) Program was created in 2011 under ESHB 2082. Individuals eligible for the Medical Care Services Program, except for recipients under the Alcoholism and Drug Addiction Treatment Support Act (ADATSA) and the Aged, Blind, or Disabled Assistance Program, are eligible for a referral to the ENHS Program. No cash grant is awarded under the ENHS Program. After 12 months, the DSHS must review cases of clients in the Medical Care Services Program who have been referred to the ENHS Program. Thereafter, the DSHS must review those cases annually.

#### **Summary of Bill:**

##### Medical Care Services.

The Medical Care Services Program is modified to include only those persons eligible for the Aged, Blind or Disabled Program who are aliens lawfully admitted to the United States for permanent residence or otherwise residing in the United States under color of law and who are not eligible for Medicaid.

##### Aged, Blind or Disabled Assistance Program.

The eligibility criteria for the Aged, Blind or Disabled Program are modified to provide that a person is disabled when he or she has a bodily or mental infirmity that will likely continue for a minimum of nine months, prevent the individual from performing work that he or she was able

to perform within the prior 10 years, and the person is otherwise likely to meet the federal SSI standard.

Essential Needs and Housing Support Program.

The DSHS is responsible for determining eligibility for the ENHS Program. Persons eligible for the ENHS Program are those who are incapacitated from gainful employment by reason of bodily or mental infirmity that will likely continue for a minimum of 90 days. Persons are not eligible for the ENHS Program if they are unemployable primarily due to alcohol or drug addiction or if they are recipients of benefits under the Aged, Blind or Disabled Program.

**Appropriation:** None.

**Fiscal Note:** Requested on June 4, 2013.

**Effective Date:** The bill takes effect on January 1, 2014, if Medicaid expansion coverage under the Affordable Care Act is available in Washington State. If expansion coverage is not available January 1, 2014, the act takes effect when expansion coverage is available in Washington State.