

# FINAL BILL REPORT

## SHB 2069

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### C 10 L 13 E2

Synopsis as Enacted

**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:** House Committee on Appropriations (originally sponsored by Representatives Hunter and Sullivan).

**House Committee on Appropriations**  
**Senate Committee on Ways & Means**

#### **Background:**

##### Medical Care Services.

Medical Care Services (MCS) 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 with a disability 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. Under this program, the Department of Social and Health Services (DSHS) provides financial assistance to persons who meet the income, resource, 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 Assistance 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 the HCA has responsibility for the medical programs. Other programs are coordinated with the DSHS.

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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. A person need not have a disability in order to be included in the Medicaid expansion population.

#### Essential Needs and Housing Support Program.

The Essential Needs and Housing Support (ENHS) Program was created in 2011. Individuals eligible for the MCS 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 the first 12 months, and annually thereafter, the DSHS must review cases of clients in the MCS Program who have been referred to the ENHS Program.

#### **Summary:**

##### Medical Care Services.

The MCS may be provided only to legal immigrants who are eligible for the Aged, Blind, or Disabled Assistance Program or the ENHS Program but who are not eligible for Medicaid.

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

Until June 30, 2015, a disabled person is an individual who has a bodily or mental infirmity that will likely continue for a minimum of nine months and prevent the individual from performing work that he or she was able to perform in the prior 10 years and who is otherwise likely to meet the federal SSI standard. If a person is determined to be "disabled" by the DSHS, he or she may be eligible for the Aged, Blind, or Disabled Assistance Program. Beginning July 1, 2015, a disabled person is one who is likely to meet the federal SSI standard, which includes a disability that will likely continue for a minimum of 12 months and prevent the individual from performing work previously performed in the last 15 years. Persons eligible for the Aged, Blind, or Disabled Assistance Program must meet the same income and resource criteria as those established for the ENHS Program.

##### Essential Needs and Housing Support Program.

Eligibility for referral to the ENHS Program is determined by the DSHS and is no longer determined by eligibility for MCS. 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.

Persons eligible for the Aged, Blind, or Disabled Assistance Program, Temporary Assistance for Needy Families (TANF), Pregnant Women's Assistance program, and federal SSI are expressly excluded from eligibility for the ENHS Program.

#### **Votes on Final Passage:**

First Special Session

House 83 5

Second Special Session

House 78 8

Senate 46 2 (Senate amended)

House 83 9 (House concurred)

**Effective:** January 1, 2014

July 1, 2015 (Section 2)