
HOUSE BILL 1390

State of Washington

57th Legislature

2001 Regular Session

By Representatives Cody, Pflug, Ogden, Edmonds, Lantz, Linville, Tokuda, Kagi, Kenney, McMorris, Van Luven, Cooper, Dickerson, O'Brien, Hunt, Haigh, Conway, Lovick, Keiser, Casada, Morell, Voloria, Miloscia, Simpson, McIntire, Schual-Berke, Ruderman, Esser, Wood, Santos, McDermott and Kessler; by request of Governor Locke

Read first time 01/25/2001. Referred to Committee on Health Care.

1 AN ACT Relating to health care benefits for individuals with
2 disabilities; amending RCW 74.09.035; reenacting and amending RCW
3 74.09.510; adding a new section to chapter 74.09 RCW; and creating a
4 new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that individuals with
7 disabilities face many barriers and disincentives to employment.
8 Individuals with disabilities are often unable to obtain health
9 insurance that provides the services and supports necessary to allow
10 them to live independently and enter or rejoin the work force. The
11 legislature finds that there is a compelling public interest in
12 eliminating barriers to work by continuing needed health care coverage
13 for individuals with disabilities who enter and maintain employment.

14 The legislature intends to strengthen the state's policy of
15 supporting individuals with disabilities in leading fully productive
16 lives by supporting the implementation of the federal ticket to work
17 and work incentives improvement act of 1999, Public Law 106-170. This
18 shall include improving incentives to work by continuing coverage for
19 health care and support services, by seeking federal funding for

1 innovative programs, and by exploring options which provide individuals
2 with disabilities a choice in receiving services needed to obtain and
3 maintain employment.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.09 RCW
5 to read as follows:

6 (1) It is the intent of the legislature to remove barriers to
7 employment for individuals with disabilities by providing medical
8 assistance to the working disabled through a buy-in program in
9 accordance with section 1902(a)(10)(A)(ii) of the social security act
10 and eligibility and cost-sharing requirements established by the
11 department.

12 (2) The department shall establish income, resource, and cost-
13 sharing requirements for the buy-in program in accordance with federal
14 law. The department is authorized to establish and modify eligibility
15 and cost-sharing requirements in order to administer the program within
16 available funds. The department shall make every effort to coordinate
17 benefits with employer-sponsored coverage available to the working
18 disabled receiving benefits under this chapter.

19 **Sec. 3.** RCW 74.09.510 and 1997 c 58 s 201 and 1997 c 59 s 14 are
20 each reenacted and amended to read as follows:

21 Medical assistance may be provided in accordance with eligibility
22 requirements established by the department, as defined in the social
23 security Title XIX state plan for mandatory categorically needy persons
24 and: (1) Individuals who would be eligible for cash assistance except
25 for their institutional status; (2) individuals who are under twenty-
26 one years of age, who would be eligible for temporary assistance for
27 needy families, but do not qualify as dependent children and who are in
28 (a) foster care, (b) subsidized adoption, (c) a nursing facility or an
29 intermediate care facility for the mentally retarded, or (d) inpatient
30 psychiatric facilities; (3) the aged, blind, and disabled who: (a)
31 Receive only a state supplement, or (b) would not be eligible for cash
32 assistance if they were not institutionalized; (4) categorically
33 eligible individuals who meet the income and resource requirements of
34 the cash assistance programs; (5) individuals who are enrolled in
35 managed health care systems, who have otherwise lost eligibility for
36 medical assistance, but who have not completed a current six-month
37 enrollment in a managed health care system, and who are eligible for

1 federal financial participation under Title XIX of the social security
2 act; (6) children and pregnant women allowed by federal statute for
3 whom funding is appropriated; (7) working individuals with disabilities
4 authorized under section 1902(a)(10)(A)(ii) of the social security act
5 for whom funding is appropriated; (8) other individuals eligible for
6 medical services under RCW 74.09.035 and 74.09.700 for whom federal
7 financial participation is available under Title XIX of the social
8 security act; and ~~((+8))~~ (9) persons allowed by section 1931 of the
9 social security act for whom funding is appropriated.

10 **Sec. 4.** RCW 74.09.035 and 1987 c 406 s 12 are each amended to read
11 as follows:

12 (1) To the extent of available funds, medical care services may be
13 provided to recipients of general assistance, and recipients of alcohol
14 and drug addiction services provided under chapter 74.50 RCW, in
15 accordance with medical eligibility requirements established by the
16 department.

17 (2) Determination of the amount, scope, and duration of medical
18 care services shall be limited to coverage as defined by the
19 department, except that adult dental, and routine foot care shall not
20 be included unless there is a specific appropriation for these
21 services.

22 (3) The department shall establish standards of assistance and
23 resource and income exemptions, which may include ~~((deductibles and co-~~
24 ~~insurance))~~ premium and point-of-service cost-sharing provisions. In
25 addition, the department may include a prohibition against the
26 voluntary assignment of property or cash for the purpose of qualifying
27 for assistance.

28 (4) Residents of skilled nursing homes, intermediate care
29 facilities, and intermediate care facilities for the mentally retarded
30 who are eligible for medical care services shall be provided medical
31 services to the same extent as provided to those persons eligible under
32 the medical assistance program.

33 (5) Payments made by the department under this program shall be the
34 limit of expenditures for medical care services solely from state
35 funds.

36 (6) Eligibility for medical care services shall commence with the
37 date of certification for general assistance or the date of eligibility

1 for alcohol and drug addiction services provided under chapter 74.50
2 RCW.

3 (7) The department may extend medical care services for up to
4 twelve months to a person whose eligibility for cash assistance under
5 general assistance or alcohol and drug addiction services ends due to
6 employment. The department is authorized to establish and modify
7 eligibility and cost-sharing requirements in order to administer the
8 program within available funds. The department shall make every effort
9 to coordinate benefits with employer-sponsored coverage available to
10 the working disabled receiving benefits under this chapter.

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