

SENATE BILL REPORT

SHB 2069

As of Second Reading

Title: An act relating to continuation of safety net benefits for persons determined to have a physical or mental disability which makes them eligible for the aged, blind, and disabled program under RCW 74.62.030 or the essential needs and housing program under RCW 43.185C.220

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).

Brief History: Passed House: 6/06/13, 83-5; 6/23/13, 78-8.

Committee Activity:

Staff: Michael Bezanson (786-7449)

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 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, 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.

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.

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 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 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 12 months, the DSHS must review cases of clients in the MCS Program who have been referred to the ENHS Program. Thereafter, the DSHS must review those cases annually.

Summary of Bill: Aged, Blind, or Disabled Assistance Program. From January 1, 2014, until June 30, 2015, a disabled person who has a bodily or mental infirmity that will likely continue for a minimum of nine months, prevent the individual from performing work that the person was able to perform in the prior 10 years, and the person is otherwise likely to meet the federal SSI standard is eligible for the Aged, Blind, or Disabled Assistance Program. Eligible individuals must meet the same income and resource criteria as those required for the ENHS Program.

Beginning July 1, 2015, the definition and criteria for a disabled person returns to the same definition that exists prior to the effective date of this act, January 1, 2014. A disabled person means a person that is likely to meet the federal supplemental security disability standard is eligible for the Aged, Blind, or Disabled Assistance program. This includes 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 the person was able to perform within the past 15 years.

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.

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.

Appropriation: None.

Fiscal Note: Requested on June 6, 2013.

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on January 1, 2014, Except for Section 2 which takes effect July 1, 2015.