

SENATE BILL REPORT

SHB 1199

As Passed Senate, April 11, 2019

Title: An act relating to health care for working individuals with disabilities.

Brief Description: Concerning health care for working individuals with disabilities.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Cody, DeBolt, Jinkins, Harris, Tharinger, Caldier, Robinson, Macri, Schmick, Stonier, Slatter, Wylie, Tarleton, Frame, Pollet and Riccelli).

Brief History: Passed House: 3/04/19, 97-0.

Committee Activity: Health & Long Term Care: 3/15/19, 3/20/19 [DP-WM].

Ways & Means: 3/26/19, 4/03/19 [DP].

Floor Activity:

Passed Senate: 4/11/19, 46-0.

Brief Summary of Bill

- Prohibits the Health Care Authority (HCA) from establishing restrictions for the Health Care for Workers with Disabilities (HWD) program based on a person's income or maximum age.
- Directs HCA to seek federal approval to exclude resources earned while a person is enrolled in the HWD program from being counted as resources when establishing subsequent eligibility for another medical assistance program.

SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey, Becker, Conway, Frockt, Keiser and Van De Wege.

Staff: LeighBeth Merrick (786-7445)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

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.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Bailey, Becker, Billig, Carlyle, Conway, Hasegawa, Hunt, Keiser, Lias, Palumbo, Pedersen, Rivers, Schoesler, Wagoner and Warnick.

Staff: Sandy Stith (786-7710)

Background: A person may qualify for federal Social Security benefits if the person has a disability that does not allow the person to engage in any substantial gainful activity because of a medically-determinable physical or mental impairment that is expected to result in death, or that has lasted or is expected to last for a continuous period of at least 12 months. The program includes several types of employment supports intended to help a person find a job, protect cash and medical benefits while the person works, and save for education. One of these supports is the federal Ticket to Work Program. One element of the program allows a person returning to work to buy in to Medicaid coverage.

Washington has implemented the Medicaid buy-in element of the Ticket to Work Program through the Health Care for Workers with Disabilities Program (HWD). To qualify for HWD, a person must be age sixteen through sixty-four, meet federal disability standards, have a net income at or below 220 percent of the federal poverty level, and be employed either full or part-time. An enrollee in HWD must pay a premium based on a sliding scale not to exceed 7.5 percent of the enrollee's income.

Summary of Bill: HCA may not establish eligibility restrictions for HWD based on a person's income or maximum age. Information about a person's income may only be used to establish cost sharing requirements.

HCA is required to seek federal approval to exclude resources earned during a person's enrollment in the HWD program from being counted as resources when the person is establishing subsequent eligibility for another medical assistance program.

Appropriation: The bill contains a null and void clause requiring specific funding be provided in an omnibus appropriation act.

Fiscal Note: Available. New fiscal note requested on March 13, 2019.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on January 1, 2020.

Staff Summary of Public Testimony (Health & Long Term Care): PRO: People with disabilities should be able to work without having to choose between getting paid more money, working more hours or giving up their Medicaid benefits. Additionally, people with disabilities that work over the age of sixty-four should not lose their Medicaid benefits. This bill improves people's health and saves the system money because people who work are healthier and benefit from the natural support of the work place both of which reduces health care spending. This bill also alleviates the numerous restrictions that are placed on people

with disabilities and simplifies the eligibility process so that people do not fear that working will jeopardize their health care.

Persons Testifying (Health & Long Term Care): PRO: Brian Collins, Microsoft; Cathy Murahashi, Arc of King County; Emily Rogers, DD Council; Susan Harrell, WISE.

Persons Signed In To Testify But Not Testifying (Health & Long Term Care): No one.

Staff Summary of Public Testimony (Ways & Means): PRO: It is complicated for people with disabilities to figure out how to stay eligible for Medicaid while still working. Some individuals have very real fears about loss of Medicaid that would come to reality if they increase the number of hours they work. It does not make a lot of sense to have people lose their coverage if they work more hours, which will allow them to contribute more to their own coverage. This bill will make a big difference to the quality of life for people with disabilities. The need for this bill is a positive thing. People with disabilities want to work more. When they make more money, they are faced with impossible choices. They can take more money home, but then they lose their benefits or cut their hours or turn down raises and lose their jobs. Medicaid allows coverage not provided on private insurance, such as personal supports, that allow people with disabilities to live and function in the community. Health care for workers with disabilities was created to address this reality and it needs to be updated to reflect this reality. I expect that most of the people on this program are already on Medicaid. We believe that eliminating the resource limit will allow employers and employees to focus on the primary goal of the job and the work they do. We want to have our employees be able to take on new jobs and new challenges and not be held back by the limitations of the resource limits of this program. Passing this bill would help people with disabilities be more self-sufficient.

Persons Testifying (Ways & Means): PRO: Cathy Murahashi, The Arc of King County; Joey Wilson, citizen; Susan Harrell, Wise; Brian Collins, Microsoft.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.