

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 2230

Chapter 15, Laws of 2001

(partial veto)

57th Legislature
2001 Second Special Legislative Session

HEALTH BENEFITS--INCAPACITATED OR DISABLED PERSONS

EFFECTIVE DATE: 9/20/01

Passed by the House June 20, 2001
Yeas 83 Nays 0

FRANK CHOPP
Speaker of the House of Representatives

CLYDE BALLARD
Speaker of the House of Representatives

Passed by the Senate June 20, 2001
Yeas 39 Nays 0

BRAD OWEN
President of the Senate

Approved July 11, 2001, with the
exception of section 4, which is
vetoed.

GARY F. LOCKE
Governor of the State of Washington

CERTIFICATE

We, Timothy A. Martin and Cynthia Zehnder, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 2230** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN
Chief Clerk

CYNTHIA ZEHNDER
Chief Clerk

FILED

July 11, 2001 - 2:38 p.m.

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 2230

Passed Legislature - 2001st Special Session

State of Washington **57th Legislature** **2001 Regular Session**

By Representatives Cody, Pflug, Linville, G. Chandler and Quall

Read first time 04/02/2001. Referred to Committee on Health Care.

1 AN ACT Relating to state health and employment support benefits for
2 incapacitated or disabled individuals; reenacting and amending RCW
3 74.09.510; adding a new section to chapter 74.09 RCW; and creating new
4 sections.

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 and any conditions or limitations specified in the omnibus
15 appropriations act. The department shall establish and modify
16 eligibility and cost-sharing requirements in order to administer the
17 program within available funds. The department shall make every effort
18 to coordinate benefits with employer-sponsored coverage available to
19 the working disabled receiving benefits under this chapter.

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

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

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

11 ****NEW SECTION. Sec. 4. If specific funding for the purposes of***
12 ***this act, referencing this act by bill or chapter number, is not***
13 ***provided by June 30, 2001, in the omnibus appropriations act, this act***
14 ***is null and void.***

15 ****Sec. 4 was vetoed. See message at end of chapter.***

Passed the House June 20, 2001.

Passed the Senate June 20, 2001.

Approved by the Governor July 11, 2001, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State July 11, 2001.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to section 4,
3 Engrossed House Bill No. 2230 entitled:

4 "AN ACT Relating to state health and employment support benefits
5 for incapacitated or disabled individuals;"

6 Engrossed House Bill No. 2230 changes state law as necessary to
7 comply with the federal Ticket to Work and Work Incentives Improvement
8 Act of 1999. It will allow the Department of Social and Health
9 Services to continue medical coverage for individuals with disabilities
10 who go to work.

11 However, section 4 of the bill would have rendered the entire act
12 null and void unless specific funding, referencing the act by bill or
13 chapter number, was included in the omnibus appropriations act. The
14 omnibus appropriations act contains the necessary funding, but without
15 a specific reference to the bill. Without a veto of section 4, the
16 bill would have been rendered null and void.

17 For these reasons, I have vetoed section 4 of Engrossed House Bill
18 No. 2230.

19 With the exception of section 4, Engrossed House Bill No. 2230 is
20 approved."