

FIRST REGULAR SESSION

# HOUSE BILL NO. 1132

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LAVENDER.

2299H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 208.146, RSMo, and to enact in lieu thereof one new section relating to health assurance programs.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 208.146, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 208.146, to read as follows:

208.146. 1. The program established under this section shall be known as the "Ticket to Work Health Assurance Program". Subject to appropriations and in accordance with the federal Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIIA), Public Law 106-170, the medical assistance provided for in section 208.151 may be paid for a person who is employed and who:

(1) Except for earnings, meets the definition of disabled under the Supplemental Security Income Program or meets the definition of an employed individual with a medically improved disability under TWWIIA;

(2) Has earned income, as defined in subsection 2 of this section;

(3) Meets the asset limits in subsection 3 of this section;

(4) Has net income, as defined in subsection 3 of this section, that does not exceed the limit for permanent and totally disabled individuals to receive nonspenddown MO HealthNet under subdivision (24) of subsection 1 of section 208.151; and

(5) Has a gross income of ~~[two hundred fifty]~~ **five hundred** percent or less of the federal poverty level, excluding any earned income of the worker with a disability between ~~[two hundred fifty and three hundred]~~ **four hundred fifty and five hundred** percent of the federal poverty level. For purposes of this subdivision, "gross income" includes all income of the person and the person's

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 spouse that would be considered in determining MO HealthNet eligibility for permanent and  
19 totally disabled individuals under subdivision (24) of subsection 1 of section 208.151.  
20 Individuals with gross incomes in excess of one hundred percent of the federal poverty level shall  
21 pay a premium for participation in accordance with subsection 4 of this section.

22         2. For income to be considered earned income for purposes of this section, the  
23 department of social services shall document that Medicare and Social Security taxes are  
24 withheld from such income. Self-employed persons shall provide proof of payment of Medicare  
25 and Social Security taxes for income to be considered earned.

26         3. (1) For purposes of determining eligibility under this section, the available asset limit  
27 and the definition of available assets shall be the same as those used to determine MO HealthNet  
28 eligibility for permanent and totally disabled individuals under subdivision (24) of subsection  
29 1 of section 208.151 except for:

30             (a) Medical savings accounts limited to deposits of earned income and earnings on such  
31 income while a participant in the program created under this section with a value not to exceed  
32 five thousand dollars per year; and

33             (b) Independent living accounts limited to deposits of earned income and earnings on  
34 such income while a participant in the program created under this section with a value not to  
35 exceed five thousand dollars per year. For purposes of this section, an "independent living  
36 account" means an account established and maintained to provide savings for transportation,  
37 housing, home modification, and personal care services and assistive devices associated with  
38 such person's disability.

39         (2) To determine net income, the following shall be disregarded:

40             (a) All earned income of the disabled worker;

41             (b) The first sixty-five dollars and one-half of the remaining earned income of a  
42 nondisabled spouse's earned income;

43             (c) A twenty dollar standard deduction;

44             (d) Health insurance premiums;

45             (e) A seventy-five dollar a month standard deduction for the disabled worker's dental and  
46 optical insurance when the total dental and optical insurance premiums are less than seventy-five  
47 dollars;

48             (f) All Supplemental Security Income payments, and the first fifty dollars of SSDI  
49 payments;

50             (g) A standard deduction for impairment-related employment expenses equal to one-half  
51 of the disabled worker's earned income.

52           4. Any person whose gross income exceeds one hundred percent of the federal poverty  
53 level shall pay a premium for participation in the medical assistance provided in this section.  
54 Such premium shall be:

55           (1) For a person whose gross income is more than one hundred percent but less than one  
56 hundred fifty percent of the federal poverty level, four percent of income at one hundred percent  
57 of the federal poverty level;

58           (2) For a person whose gross income equals or exceeds one hundred fifty percent but is  
59 less than two hundred percent of the federal poverty level, four percent of income at one hundred  
60 fifty percent of the federal poverty level;

61           (3) For a person whose gross income equals or exceeds two hundred percent but less  
62 than two hundred fifty percent of the federal poverty level, five percent of income at two hundred  
63 percent of the federal poverty level;

64           (4) For a person whose gross income equals or exceeds two hundred fifty percent up to  
65 and including three hundred percent of the federal poverty level, six percent of income at two  
66 hundred fifty percent of the federal poverty level;

67           **(5) For a person whose gross income equals or exceeds three hundred percent up**  
68 **to and including five hundred percent of the federal poverty level, six percent of income**  
69 **at three hundred percent of the federal poverty level.**

70           5. Recipients of services through this program shall report any change in income or  
71 household size within ten days of the occurrence of such change. An increase in premiums  
72 resulting from a reported change in income or household size shall be effective with the next  
73 premium invoice that is mailed to a person after due process requirements have been met. A  
74 decrease in premiums shall be effective the first day of the month immediately following the  
75 month in which the change is reported.

76           6. If an eligible person's employer offers employer-sponsored health insurance and the  
77 department of social services determines that it is more cost effective, such person shall  
78 participate in the employer-sponsored insurance. The department shall pay such person's portion  
79 of the premiums, co-payments, and any other costs associated with participation in the  
80 employer-sponsored health insurance.

81           7. The provisions of this section shall expire August 28, ~~[2019]~~ **2025**.

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