

## HJR 124 -- MEDICAID ELIGIBILITY AND REQUIREMENTS

SPONSOR: Smith (163)

Upon voter approval, this proposed Constitutional amendment changes provisions relating to eligibility and requirements for MO HealthNet.

### ELIGIBILITY DETERMINATION

Currently, under the Missouri Constitution individuals 19 years old or older and under 65 who qualify for MO HealthNet services under Federal law and who have income at or below 138% of the Federal poverty level, commonly referred to as the "Medicaid expansion population", are eligible for medical assistance under MO HealthNet. With the passage of this resolution, if an appropriation specifically naming this population is not made for a fiscal year, the population will not be eligible for MO HealthNet services for that fiscal year. In any given fiscal year, any eligible population for MO HealthNet services will be eligible only if an appropriation for that population is made in that fiscal year. Further, in any given fiscal year, any service or type of provider for which reimbursement is allowed shall be eligible for reimbursement only if an appropriation for that service or type of provider is made for that fiscal year.

This amendment also repeals the provision of the Constitution prohibiting any greater or additional burdens or restrictions on eligibility or enrollment standards, methodologies, or practices being placed on the Medicaid expansion population.

### RESIDENCY REQUIREMENT

Subject to approval of State plan amendments to be submitted by the Department of Social Services to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services, the State shall not provide payments, add-ons, or reimbursements to health care providers through MO HealthNet for medical assistance services provided to persons who are not State residents, as determined pursuant to 42 C.F.R. 435.403. These provisions will become effective 90 days after approval of all necessary state plan amendments.

### WORK AND COMMUNITY ENGAGEMENT REQUIREMENT

Subject to approval of a work and community engagement demonstration waiver under Section 1115 of the Social Security Act, MO HealthNet participants 19 years old or older and under 65 must

comply with work and community engagement requirements, unless otherwise exempt as specified in the amendment. These requirements include any combination of at least 80 hours each month of:

(1) Unsubsidized or subsidized private or public sector employment;

(2) Education, including vocational educational training, job skills training directly related to employment, education directly related to employment for individuals who have not received a high school diploma or certificate of high school equivalence, or satisfactory attendance at a secondary school;

(3) Community service;

(4) Job search and job readiness assistance;

(5) Provision of child care services to an individual who is participating in a community service program; or

(6) Participation in a substance abuse treatment program.

A participant who is also a participant of the Temporary Assistance for Needy Families Program (TANF) or the Supplemental Nutrition Assistance Program (SNAP) that satisfies work requirements related to those programs will be deemed to have satisfied the work and community engagement requirements.

The Department of Social Services may permit further exemptions from these requirements in areas of high unemployment, areas with limited economic or educational opportunities, areas that lack public transportation, or otherwise for good cause. The Department must provide reasonable accommodations, as specified in the resolution, for participants with disabilities as defined by the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, or Section 1557 of the Patient Protection and Affordable Care Act.

The Department of Social Services must annually seek the work and community engagement demonstration waiver until granted and any subsequent renewal and extensions from the United States Department of Health and Human Services necessary to implement these work and community engagement provisions.

This bill is the same as HJR 63 (2023).