

SECOND REGULAR SESSION

# HOUSE JOINT RESOLUTION NO. 188

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE DEATON.

6341H.01I

JOSEPH ENGLER, Chief Clerk

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## JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Section 36(c) of Article IV of the Constitution of Missouri, and adopting one new section in lieu thereof relating to MO HealthNet.

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*Be it resolved by the House of Representatives, the Senate concurring therein:*

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2026, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to Article IV of the Constitution of the state of Missouri:

Section A. Section 36(c), Article IV, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as Section 36(c), to read as follows:

Section 36(c). 1. Notwithstanding any provision of law to the contrary, beginning July 1, 2021, individuals nineteen years of age or older and under sixty-five years of age who qualify for MO HealthNet services under 42 U.S.C. Section 1396a(a)(10)(A)(i)(VIII) and as set forth in 42 C.F.R. 435.119, and who have income at or below one hundred thirty-three percent of the federal poverty level plus five percent of the applicable family size as determined under 42 U.S.C. Section 1396a(e)(14) and as set forth in 42 C.F.R. 435.603, shall be eligible for medical assistance under MO HealthNet and shall receive coverage for the health benefits service package.

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.

9           2. For purposes of this section "health benefits service package" shall mean benefits  
10 covered by the MO HealthNet program as determined by the department of social services to  
11 meet the benchmark or benchmark-equivalent coverage requirement under 42 U.S.C. Section  
12 1396a(k)(1) and any implementing regulations.

13           3. No later than March 1, 2021, the Department of Social Services and the MO  
14 HealthNet Division shall submit all state plan amendments necessary to implement this  
15 section to the United States Department of Health and Human Services, Centers for Medicare  
16 and Medicaid Services.

17           4. The Department of Social Services and the MO HealthNet Division shall take all  
18 actions necessary to maximize federal financial participation in funding medical assistance  
19 pursuant to this section.

20           ~~5. No greater or additional burdens or restrictions on eligibility or enrollment~~  
21 ~~standards, methodologies, or practices shall be imposed on persons eligible for MO~~  
22 ~~HealthNet services pursuant to this section than on any other population eligible for medical~~  
23 ~~assistance.~~

24           ~~6. All references to federal or state statutes, regulations or rules in this section shall be~~  
25 ~~to the version of those statutes, regulations or rules that existed on January 1, 2019.]~~

Section B. Pursuant to chapter 116, and other applicable constitutional provisions and  
2 laws of this state allowing the general assembly to adopt ballot language for the submission of  
3 this joint resolution to the voters of this state, the official summary statement of this  
4 resolution shall be as follows:

5           "Shall the Missouri Constitution be amended to repeal Section 36(c) of Article IV and  
6 adopt a new section relating to MO HealthNet, removing subsections 5 and 6 that establish  
7 specific enrollment and eligibility standards, and authorizing the General Assembly to  
8 determine eligibility requirements for MO HealthNet consistent with federal law?".

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