
S.B. NO. ⁴⁵¹ S.D. 1

A BILL FOR AN ACT

RELATING TO PERSONS WITH DISABILITIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

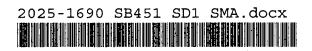
1	SECTIC	ON 1. Chapter 346, Hawaii Revised Statutes, is
2	amended by	adding a new section to be appropriately designated
3	and to read	as follows:
4	" <u>§346-</u>	Medicaid buy-in program for workers with
5	disabilitie	as. (a) The department shall adopt the option made
6	available u	under section 1902(a)(10)(A)(ii)(XIII) of the federal
7	Social Secu	rity Act.
8	<u>(b)</u> T	to be eligible for benefits under this section, an
9	individual	shall:
10	<u>(1)</u> H	lave a net countable income greater than two hundred
11	i <u>f</u>	ifty per cent of the federal poverty level for one
12	p	person or, if the deeming of spousal income applies to
13	• <u>t</u>	he individual, the individual shall have a net
14	<u>c</u>	countable income greater than two hundred fifty per
15	<u>c</u>	ent of the federal poverty level for two persons;
16	<u>(2)</u> <u></u>	e disabled under title II or XVI or section 1902(v)
17	c	of the federal Social Security Act; provided that an



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1		individual shall be determined to be eligible under
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2		this section without regard to the individual's
3		ability to engage in, or actual engagement in,
4		substantial gainful activity, as defined in section
5		223(d)(4) of the federal Social Security Act; and
6	(3)	Except as otherwise provided in this section, have net
7		nonexempt resources, which shall be determined in
8		accordance with the methodology used under title XVI
9		of the federal Social Security Act, that are not in
10		excess of the limits provided for under those
11		provisions.
12	Coun	table income shall be determined under section 1612 of
13	the feder	al Social Security Act, except that the individual's
14	disabilit	y income, including all federal and state disability
15	benefits	and private disability insurance, shall be exempted.
16	Resources	excluded under section 1613 of the federal Social
17	Security	Act shall be disregarded.
18	Reso	ources in the form of employer or individual retirement
19	arrangeme	nts authorized under the Internal Revenue Code shall be
20	exempted	as authorized by section 1902(r) of the federal Social
21	Security	Act.

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1	(c) Individuals eligible for benefits under this section
2	shall be subject to the payment of premiums determined under
3	this subsection. The department shall:
4	(1) Establish sliding-scale premiums that are based on
5	countable income, with a minimum premium of \$20 per
6	month and a maximum premium of \$250 per month; and
7	(2) By rule, annually adjust the premiums.
8	Before adjustment of any premiums determined pursuant to this
9	subsection, the department shall submit a report of proposed
10	premium adjustments to the legislature no later than twenty days
11	prior to the convening of each regular session.
12	(d) In order to implement the collection of premiums under
13	this section, the department may:
14	(1) Develop and execute a contract with a public or
15	private entity to collect premiums; or
16	(2) Amend any existing or future premium-collection
17	contract that it has executed.
18	(e) The department shall adopt rules pursuant to
19	chapter 91 necessary for the purposes of this section, including
20	specifying the process for discontinuance of eligibility under

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1	this section for nonpayment of premiums for more than two months
2	by a beneficiary.
3	(f) Notwithstanding any other provision of law, this
4	section shall be implemented only if, and to the extent that,
5	the department determines that federal financial participation
6	is available pursuant to title XIX of the federal Social
7	Security Act."
8	SECTION 2. New statutory material is underscored.
9	SECTION 3. This Act shall take effect on December 31,
10	2050.

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Report Title: DHS; Workers with Disabilities; Medicaid; Buy-In Program

Description: Requires the Department of Human Services to establish a Medicaid buy-in program for workers with disabilities. Effective 12/31/2050. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

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