

SENATE FILE NO. SF0097

Medicaid and SNAP-eligibility requirements-2.

Sponsored by: Senator(s) Hicks, Driskill, Peterson and
Scott and Representative(s) Burkhart, Clem,
Gray, Laursen and Lindholm

A BILL

for

1 AN ACT relating to welfare; requiring Medicaid recipients
2 to comply with specified work or volunteer requirements as
3 a condition of continuing eligibility; providing
4 exceptions; requiring the department of health to apply for
5 a federal waiver relating to these requirements;
6 prohibiting specified actions relating to the supplemental
7 nutrition assistance program; specifying federal waiver
8 requirements relating to child care and Medicaid; requiring
9 rulemaking; and providing for an effective date.

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11 *Be It Enacted by the Legislature of the State of Wyoming:*

12

13 **Section 1.** W.S. 42-2-406 is created to read:

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1 **42-2-406. Medical assistance - continuing eligibility**
2 **requirements.**

3
4 (a) The department shall apply to the secretary of
5 the United States department of health and human services
6 for a waiver under 42 U.S.C. 1315 to implement the
7 continuing eligibility requirements for medical assistance
8 set forth in this section. Upon final approval of the terms
9 and conditions of the waiver, the department shall
10 implement this section.

11
12 (b) Except as otherwise provided in subsection (c) of
13 this section, beginning three (3) months after the
14 department determines a person is eligible for medical
15 assistance, the medical assistance recipient shall:

16
17 (i) Work or attend school for twenty (20) or
18 more hours per week;

19
20 (ii) Participate in an employment and training
21 program created under W.S. 42-2-203 or a work program, as
22 defined in 7 U.S.C. 2015(o)(1), for twenty (20) or more
23 hours per week;

1

2 (iii) Volunteer with an established community
3 service organization for twenty (20) or more hours per
4 week; or

5

6 (iv) Comply with any combination of the
7 requirements of paragraphs (i) through (iii) of this
8 subsection for a total of twenty (20) or more hours per
9 week.

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11 (c) Subsection (b) of this section shall not apply to
12 a medical assistance recipient who is:

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14 (i) Eighteen (18) years of age or younger;

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16 (ii) Sixty-five (65) years of age or older;

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18 (iii) Certified by a health care provider as
19 medically unable to meet the requirements of subsection (b)
20 of this section;

21

22 (iv) Pregnant;

23

1 (v) A parent, legal guardian or other primary
2 caregiver of a dependent who:

3

4 (A) Is under six (6) years of age; or

5

6 (B) Has a serious medical condition or
7 disability as determined by rule of the department.

8

9 (vi) A regular participant in a drug addiction
10 or alcoholic treatment and rehabilitation program;

11

12 (vii) Receiving unemployment compensation
13 pursuant to W.S. 27-3-101 through 27-3-706;

14

15 (viii) Exempt from work requirements under the
16 temporary assistance to needy families or supplemental
17 nutrition assistance programs;

18

19 (ix) An enrolled member of the Eastern Shoshone
20 or Northern Arapaho Indian tribe or any other member of a
21 federally recognized Indian tribe for whom the federal
22 government is obligated to provide health care; or

23

1 (x) Exempt based on good cause, as determined by
2 rule of the department.

3

4 (d) The hour requirements specified in subsection (b)
5 of this section shall be averaged on a monthly basis and
6 shall run concurrently with any hour requirements under the
7 temporary assistance to needy families and supplemental
8 nutrition assistance programs.

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10 (e) The department shall verify compliance with the
11 requirements of subsection (b) of this section every six
12 (6) months, with the first verification conducted nine (9)
13 months after the medical assistance recipient is initially
14 determined to be eligible for medical assistance. The
15 department shall obtain proof of compliance with the
16 provisions of subsection (b) of this section in a manner
17 required by rule.

18

19 (f) After the department has determined under
20 subsection (e) of this section that a medical assistance
21 recipient has failed to comply with the requirements of
22 subsection (b) of this section, the recipient's eligibility

1 for medical assistance shall be extinguished for twelve
2 (12) months following the date of the determination.

3

4 (g) Notwithstanding any other provision of law, the
5 department of workforce services shall provide all
6 necessary data requested by the department regarding a
7 medical assistance recipient's employment status or
8 participation in an employment and training program or work
9 program.

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11 (h) The department's rules governing administrative
12 hearings relating to medical assistance shall apply to any
13 action of the department under this section.

14

15 (j) The department shall promulgate rules to
16 implement this section.

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18 (k) As used in this section, "school" includes any
19 institution or program that provides education under title
20 21 of the Wyoming statutes, or any institution or program
21 that is substantially similar to such an institution or
22 program.

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1 **Section 2.** W.S. 42-2-401(a) by creating a new
2 paragraph (vii) is amended to read:

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4 **42-2-401. Definitions.**

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6 (a) For purposes of this article:

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8 (vii) "Medical assistance" means as defined in
9 W.S. 42-4-102(a)(ii).

10
11 **Section 3.** If authorized by federal law, any federal
12 savings made available from the implementation of a waiver
13 approved under W.S. 42-2-406(a) shall be used to support
14 child care programs for medical assistance recipients who
15 are employed, attending school or participating in an
16 employment and training program or work program.

17
18 **Section 4.** Notwithstanding any other provision of
19 law, the department of family services, or any successor
20 agency, shall not apply for a waiver or carry out any state
21 plan amendments regarding work requirements and the
22 supplemental nutrition assistance program which relate to 7
23 U.S.C. 2015(o).

1

2 **Section 5.** This act is effective January 1, 2019.

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(END)