

FIRST REGULAR SESSION

# SENATE BILL NO. 419

91ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR SIMS.

Read 1st time February 6, 2001, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

1737S.011

## AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to medical assistance for employed persons with disabilities.

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

Section A. Chapter 208, RSMo, is amended by adding thereto one new section, to be known as section 208.146, to read as follows:

**208.146. 1. Pursuant to 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) 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) Meets the asset limits in subsection 2 of this section; and**

**(3) Has an annual income of two hundred fifty percent or less of the federal poverty guidelines. For purposes of this subdivision, "income" does not include any income of the person's spouse or children. Individuals with incomes in excess of one hundred fifty percent of the federal poverty level shall pay a premium for participation in accordance with subsection 5 of this section.**

**2. For purposes of determining eligibility pursuant to this section, a person's assets shall not include:**

**(1) Any spousal assets, one-half of any marital assets and all assets excluded pursuant to section 208.010;**

**(2) Retirement accounts, including individual accounts, 401(k) plans, 403(b) plans, Keogh plans and pension plans;**

- (3) Medical expense accounts set up through the person's employer;**
- (4) Family development accounts established pursuant to sections 208.750 to 208.775; or**
- (5) PASS plans.**

**3. A person who is otherwise eligible for medical assistance pursuant to this section shall not lose his or her eligibility if such person maintains an independent living development account. For purposes of this section, an "independent living development account" means an account established and maintained to provide savings for transportation, housing, home modification, and personal care services and assistive devices associated with such person's disability. Independent living development accounts shall be limited to deposits of earned income made by the eligible individual while participating in the program and shall not be considered an asset for purposes of determining and maintaining eligibility until such person reaches the age of sixty-five.**

**4. If an eligible individual's employer offers employer-sponsored health insurance and the department of social services determines that it is more cost effective, the individual shall participate in the employer-sponsored insurance. The department shall pay such individual's portion of the premiums, copayments and any other costs associated with participation in the employer-sponsored health insurance.**

**5. Any person whose income exceeds one hundred fifty percent of the federal poverty level shall pay a premium for participation in the medical assistance provided in this section. The premium shall be:**

**(1) For a person whose income is between one hundred fifty-one and one hundred seventy-five percent of the federal poverty level, four percent of income at one hundred sixty-three percent of the federal poverty level;**

**(2) For a person whose income is between one hundred seventy-six and two hundred percent of the federal poverty level, five percent of income at one hundred eighty-eight percent of the federal poverty level;**

**(3) For a person whose income is between two hundred one and two hundred twenty-five percent of the federal poverty level, six percent of income at two hundred thirteen percent of the federal poverty level;**

**(4) For a person whose income is between two hundred twenty-six and two hundred fifty percent of the federal poverty level, seven percent of income at two hundred thirty-eight percent of the federal poverty level.**

**6. The medical assistance established by this section shall be provided to an eligible person as a secondary or supplemental policy to any employer-sponsored benefits which may be available to such person.**

**7. The department of social services shall submit the appropriate documentation**

**to the federal government for approval which allows the resources listed in subdivisions (2) to (5) of subsection 2 of this section and subsection 3 of this section to be exempt for purposes of determining and maintaining eligibility pursuant to this section.**

**8. The department of social services shall apply for any and all grants which may be available to offset the costs associated with the implementation of this section.**

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