

# SENATE AMENDMENT NO. \_\_\_\_\_

Offered by \_\_\_\_\_ of \_\_\_\_\_

Amend SS/Senate Bill No. 748, Page 1, Section TITLE, Line 5,

2 by striking all of said line and inserting in lieu thereof  
3 the following: "MO HealthNet."; and

4 Further amend said bill and page, Section 198.439, line  
5 2, by inserting after all of said line the following:

6 "208.185. 1. Beginning January 1, 2025, MO HealthNet  
7 participants ages nineteen to sixty-four shall comply with  
8 the work and community engagement requirements under this  
9 section in order to remain eligible for MO HealthNet  
10 benefits, unless such participant is otherwise exempt from  
11 such requirements. Work and community engagement  
12 requirements shall include at least eighty hours each month  
13 of the following:

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

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

22 (3) Community service;

23 (4) Job search and job readiness assistance;

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

26           (6) Satisfaction of work requirements for participants  
27 of temporary assistance for needy families or the  
28 supplemental nutrition assistance program who are also MO  
29 HealthNet participants;  
30           (7) Participation in a substance abuse treatment  
31 program; or  
32           (8) Any combination thereof.  
33           2. The work and community engagement requirements  
34 under this section shall not apply to a participant who is:  
35           (1) Under the age of nineteen or over the age of sixty-  
36 four;  
37           (2) Medically frail, including individuals:  
38           (a) With disabling mental disorders;  
39           (b) With serious and complex medical conditions;  
40           (c) With a physical, intellectual, or developmental  
41 disability that significantly impairs their ability to  
42 perform one or more activities of daily living; or  
43           (d) With a disability determination based on criteria  
44 under the Social Security Act, including a current  
45 determination by the department of social services that he  
46 or she is permanently or totally disabled;  
47           (3) Pregnant or caring for a child under the age of  
48 one or otherwise a recipient of MO HealthNet services under  
49 section 208.662;  
50           (4) A primary caregiver of a dependent child under the  
51 age of six or a dependent adult; provided, that not more  
52 than one participant may claim primary caregiver status in a  
53 household;  
54           (5) A participant who is also a participant of  
55 temporary assistance for needy families or the supplemental  
56 nutrition assistance program and who is exempt from the work  
57 requirements of either of those programs; or

58           (6) A participant who is a parent of a student who  
59 receives instruction in a home school, as such term is  
60 defined in chapter 167.

61           3. In order that work and community engagement  
62 requirements shall not be impossible or unduly burdensome  
63 for participants, the department may permit further  
64 exemptions from the work and community engagement  
65 requirements under this section in areas of high  
66 unemployment, limited economies or educational  
67 opportunities, or lack of public transportation, or for good  
68 cause. Good cause shall include, but not be limited to, the  
69 following circumstances:

70           (1) The participant has a disability as defined by the  
71 Americans with Disabilities Act, Section 504 of the  
72 Rehabilitation Act of 1973, or Section 1557 of the Patient  
73 Protection and Affordable Care Act and is unable to meet the  
74 work and community engagement requirements for reasons  
75 related to that disability;

76           (2) The participant has an immediate family member in  
77 the home with a disability as defined by the Americans with  
78 Disabilities Act, Section 504 of the Rehabilitation Act of  
79 1973, or Section 1557 of the Patient Protection and  
80 Affordable Care Act and the participant is unable to meet  
81 the work and community engagement requirements for reasons  
82 related to the disability of such family member;

83           (3) The participant or an immediate family member in  
84 the home experiences a hospitalization or serious illness;

85           (4) The participant experiences the birth or death of  
86 a family member in the home;

87           (5) The participant experiences severe inclement  
88 weather, including a natural disaster, and is unable to meet  
89 the work and community engagement requirements; and

90           (6) The participant experiences a family emergency or  
91 other life-changing event, including divorce or domestic  
92 violence.

93           4. The department shall provide reasonable  
94 accommodations for participants with disabilities as defined  
95 by the Americans with Disabilities Act, Section 504 of the  
96 Rehabilitation Act of 1973, or Section 1557 of the Patient  
97 Protection and Affordable Care Act, as necessary, to enable  
98 such participants an equal opportunity to participate in and  
99 benefit from the work and community engagement requirements  
100 under this section. Reasonable accommodations shall  
101 include, but not be limited to, the following:

102           (1) Exemption from the work and community engagement  
103 requirements when the participant is unable to comply for  
104 reasons relating to his or her disability;

105           (2) Modification in the number of hours of work and  
106 community engagement required when a participant is unable  
107 to comply with the required number of hours; and

108           (3) Provision of support services necessary for  
109 compliance, when compliance is possible with such supports.

110           5. The department may promulgate rules and regulations  
111 to implement the provisions of this section. Any rule or  
112 portion of a rule, as that term is defined in section  
113 536.010, that is created under the authority delegated in  
114 this section shall become effective only if it complies with  
115 and is subject to all of the provisions of chapter 536 and,  
116 if applicable, section 536.028. This section and chapter  
117 536 are nonseverable and if any of the powers vested with  
118 the general assembly pursuant to chapter 536, to review, to  
119 delay the effective date, or to disapprove and annul a rule  
120 are subsequently held unconstitutional, then the grant of  
121 rulemaking authority and any rule proposed or adopted after  
122 August 28, 2024, shall be invalid and void.

123           6. The department shall seek all appropriate waivers  
124 and state plan amendments from the federal Department of  
125 Health and Human Services necessary to implement the  
126 provisions of this section. The provisions of this section  
127 shall not be implemented unless such waivers and state plan  
128 amendments are approved."; and

129           Further amend the title and enacting clause accordingly.