

SENATE BILL NO. 1708

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MCCREERY.

7298S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 208.146, RSMo, and to enact in lieu thereof one new section relating to the ticket to work health assurance program.

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

Section A. Section 208.146, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 208.146,
3 to read as follows:

208.146. 1. The program established under this
2 section shall be known as the "Ticket to Work Health
3 Assurance Program". Subject to appropriations and in
4 accordance with the federal Ticket to Work and Work
5 Incentives Improvement Act of 1999 (TWWIIA), Public Law 106-
6 170, the medical assistance provided for in section 208.151
7 may be paid for a person who is employed and who:

8 (1) Except for earnings, meets the definition of
9 disabled under the Supplemental Security Income Program or
10 meets the definition of an employed individual with a
11 medically improved disability under TWWIIA;

12 (2) Has earned income, as defined in subsection 2 of
13 this section;

14 (3) Meets the asset limits in subsection 3 of this
15 section; and

16 (4) Has income, as determined in subsection 3 of this
17 section, that does not exceed two hundred fifty percent of

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 the federal poverty level, excluding any earned income of
19 the worker with a disability between two hundred fifty and
20 three hundred percent of the federal poverty level.

21 2. For income to be considered earned income for
22 purposes of this section, the department of social services
23 shall document that Medicare and Social Security taxes are
24 withheld from such income. Self-employed persons shall
25 provide proof of payment of Medicare and Social Security
26 taxes for income to be considered earned.

27 3. (1) For purposes of determining eligibility under
28 this section, the available asset limit and the definition
29 of available assets shall be the same as those used to
30 determine MO HealthNet eligibility for permanent and totally
31 disabled individuals under subdivision (24) of subsection 1
32 of section 208.151 except for:

33 (a) Medical savings accounts limited to deposits of
34 earned income and earnings on such income while a
35 participant in the program created under this section with a
36 value not to exceed five thousand dollars per year;

37 (b) Independent living accounts limited to deposits of
38 earned income and earnings on such income while a
39 participant in the program created under this section with a
40 value not to exceed five thousand dollars per year. For
41 purposes of this section, an "independent living account"
42 means an account established and maintained to provide
43 savings for transportation, housing, home modification, and
44 personal care services and assistive devices associated with
45 such person's disability; and

46 (c) Retirement accounts including, but not limited to,
47 individual accounts, 401(k) plans, 403(b) plans, Keogh
48 plans, and pension plans, provided that income from such

49 accounts be calculated as income under subdivision (4) of
50 subsection 1 of this section.

51 (2) To determine income, the following shall be
52 disregarded:

53 (a) The first fifty thousand dollars of earned income
54 of the person's spouse;

55 (b) A twenty dollar standard deduction;

56 (c) Health insurance premiums;

57 (d) A seventy-five dollar a month standard deduction
58 for the disabled worker's dental and optical insurance when
59 the total dental and optical insurance premiums are less
60 than seventy-five dollars;

61 (e) All Supplemental Security Income payments, and the
62 first fifty dollars of SSDI payments; and

63 (f) A standard deduction for impairment-related
64 employment expenses equal to one-half of the disabled
65 worker's earned income.

66 4. Any person whose income exceeds one hundred percent
67 of the federal poverty level shall pay a premium for
68 participation in the medical assistance provided in this
69 section. Such premium shall be:

70 (1) For a person whose income is more than one hundred
71 percent but less than one hundred fifty percent of the
72 federal poverty level, four percent of income at one hundred
73 percent of the federal poverty level;

74 (2) For a person whose income equals or exceeds one
75 hundred fifty percent but is less than two hundred percent
76 of the federal poverty level, four percent of income at one
77 hundred fifty percent of the federal poverty level;

78 (3) For a person whose income equals or exceeds two
79 hundred percent but less than two hundred fifty percent of

80 the federal poverty level, five percent of income at two
81 hundred percent of the federal poverty level;

82 (4) For a person whose income equals or exceeds two
83 hundred fifty percent up to and including three hundred
84 percent of the federal poverty level, six percent of income
85 at two hundred fifty percent of the federal poverty level.

86 5. Recipients of services through this program shall
87 report any change in income or household size within ten
88 days of the occurrence of such change. An increase in
89 premiums resulting from a reported change in income or
90 household size shall be effective with the next premium
91 invoice that is mailed to a person after due process
92 requirements have been met. A decrease in premiums shall be
93 effective the first day of the month immediately following
94 the month in which the change is reported.

95 6. If an eligible person's employer offers employer-
96 sponsored health insurance and the department of social
97 services determines that it is more cost effective, such
98 person shall participate in the employer-sponsored
99 insurance. The department shall pay such person's portion
100 of the premiums, co-payments, and any other costs associated
101 with participation in the employer-sponsored health
102 insurance. If the department elects to pay such person's
103 employer-sponsored insurance costs under this subsection,
104 the medical assistance provided under this section shall be
105 provided to an eligible person as a secondary or
106 supplemental policy for only personal care assistance
107 services, as defined in section 208.900, and related costs
108 and nonemergency medical transportation to any employer-
109 sponsored benefits that may be available to such person.

110 7. The department of social services shall provide to
111 the general assembly an annual report that identifies the

112 number of participants in the program and describes the
113 outreach and education efforts to increase awareness and
114 enrollment in the program.

115 8. The department of social services shall submit such
116 state plan amendments and waivers to the Centers for
117 Medicare and Medicaid Services of the federal Department of
118 Health and Human Services as the department determines are
119 necessary to implement the provisions of this section.

120 [9. The provisions of this section shall expire August
121 28, 2025.]

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