

STATE OF KANSAS

HOUSE OF REPRESENTATIVES

MR. CHAIRMAN:

I move to amend **Substitute for HB 2365**, on page 66, following line 40, by inserting:

"Sec. 119. During the fiscal years ending June 30, 2018, and June 30, 2019, in addition to the other purposes for which expenditures may be made by the department of health and environment – division of health care finance from moneys appropriated from the state general fund or in any special revenue fund or funds for fiscal year 2018 or 2019 by chapter 104 of the 2017 Session Laws of Kansas, this or any other appropriation act of the 2018 regular session of the legislature, expenditures shall be made by the department of health and environment – division of health care finance from such moneys to expand eligibility for state medicaid services under the Kansas medical assistance program in accordance with this section and to implement the requirements of this section.

(a) On and after January 1, 2019, criteria for eligibility determinations for state medicaid services under the Kansas medical assistance program shall be expanded to include any adult under 65 years of age, who is not pregnant and whose income does not exceed 133% of the federal poverty level, to the extent permitted under the provisions of 42 U.S.C. § 1396a, as it exists on the effective date of this act, and subject to the requirements of this section.

(b) (1) As a condition for participation in expanded eligibility for state medicaid services under the Kansas medical assistance program pursuant to this section, the department of health and environment – division of health care finance shall refer all non-disabled adults who are newly granted eligibility under the Kansas medical assistance program pursuant to this section and who are unemployed or working fewer than 20 hours per week to existing workforce training programs and work search resources in the state of Kansas, including, but not limited to, the Kansasworks program

administered by the department of commerce or the generating opportunities to attain lifelong success program administered by the Kansas department for children and families.

(2) The department of health and environment – division of health care finance shall screen all applicants for participation in expanded eligibility for state medicaid services under the Kansas medical assistance program pursuant to this section for education status and employment status and shall require such applicants to acknowledge the referral required by paragraph (1).

(3) Full-time students shall be exempt from the referral required by paragraph (1) for each year such student is enrolled in a postsecondary educational institution or technical school.

(4) Parents with minor children in the home may be exempt from the referral required by paragraph (1) at the discretion of the department of health and environment – division of health care finance.

(c) (1) The department of health and environment – division of health care finance may provide health insurance coverage premium assistance program for individuals who meet the following requirements:

(A) The individual has an annual household income of not more than 133% of the federal income poverty level, based on the adjusted gross income provisions set forth in section 2001(a)(1) of the federal patient protection and affordable care act; or

(B) the individual is eligible for health insurance coverage through an employer but cannot afford the health insurance coverage premiums.

(2) Assistance provided under this subsection shall:

(A) Contain eligibility requirements that are similar to the expanded eligibility criteria for the Kansas medical assistance program established by this section; and

(B) provide that an individual's payment for a health insurance coverage premium may not exceed 2% of the individual's annual income.

(d) (1) A denial of federal approval and federal financial participation that applies to any part of this section shall not prohibit the department of health and environment – division of health care finance from implementing any other part of the program, except for subsection (i), that:

(A) Is federally approved for federal financial participation; or

(B) does not require federal approval or federal financial participation.

(2) The secretary of health and environment may make changes to the expanded eligibility criteria and requirements established by this section if such changes are required by the United States department of health and human services or federal statute or regulation.

(e) The department of health and environment – division of health care finance shall submit a waiver request to the United States department of health and human services to implement the program with services to begin on or before January 1, 2019.

(f) The department of health and environment – division of health care finance shall use moneys received from drug rebates connected to program participants newly granted eligibility under the Kansas medical assistance program pursuant to this section and, notwithstanding the provisions of K.S.A. 40-3213, and amendments thereto, or any other statute to the contrary, any moneys received from privilege fees collected pursuant to K.S.A. 40-3213, and amendments thereto, connected to program participants newly granted eligibility under the Kansas medical assistance program pursuant to this section for the purpose of making medicaid medical assistance payments for such participants.

(g) On or before January 14, 2019, the secretary of health and environment shall prepare and submit a report to the legislature that summarizes the cost savings that will be achieved by the state by moving beneficiaries from the current Kansas medical assistance program to the expanded eligibility criteria and requirement provisions of this section.

(h) (1) A working group comprised of the following members shall meet to identify non-state general fund sources to fund expanded eligibility for state medicaid services established pursuant to

this section:

(A) Two members of the house of representatives appointed by the speaker of the house of representatives;

(B) one member of the house of representatives appointed by the minority leader of the house of representatives;

(C) two members of the senate appointed by the president of the senate;

(D) one member of the senate appointed by the minority leader of the senate;

(E) one representative from the Kansas hospital association;

(F) one representative from the Kansas medical society;

(G) one representative from the Kansas association for the medically underserved;

(H) one representative from the Kansas academy of family physicians;

(I) one representative from the association of community mental health centers of Kansas;

(J) one representative from the Kansas dental association;

(K) one representative from the Kansas emergency medical services association;

(L) one representative from the Kansas optometric association;

(M) one representative from the Kansas pharmacist's association; and

(N) one representative of program participants deemed newly eligible to participate in the Kansas medical assistance program pursuant to this section from alliance for a healthy Kansas.

(2) The chairperson of the working group shall be elected by the members of the working group from the members appointed from the house of representatives or the senate.

(3) The working group shall report to the legislature on or before March 15, 2019, with recommendations for funding expanded eligibility for the Kansas medical assistance program established pursuant to this section.

(i) If, at any point, the percentages of federal medical assistance available for Kansas medical

assistance program participants described in section 1902(a)(10)(A)(i)(VIII) of the federal social security act are reduced below the percentages provided for in section 1201(b)(1)(A) through (E) of the federal health care and education reconciliation act of 2010, as it exists on the effective date of this act, the department of health and environment – division of health care finance shall terminate expanded eligibility criteria and requirements established pursuant to this section over a 12-month period, beginning on the first day that federal medical assistance percentages are reduced below such percentages.";

And by renumbering sections accordingly

_____ District.