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# A BILL FOR AN ACT

RELATING TO PERSONS WITH DISABILITIES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that Act 200, Session  
2 Laws of Hawaii 2012, established a joint legislative task force  
3 to explore the possibility of implementing a medicaid buy-in  
4 program for individuals with disabilities who are either not  
5 working or currently working and would like to earn more income,  
6 based upon Hawaii's current medicaid income and asset limits,  
7 subject to approval of the federal Centers for Medicare and  
8 Medicaid Services. The legislature notes that a significant  
9 portion of the population in Hawaii receives federal or state  
10 benefits because of disabling conditions. Moreover, current  
11 state programs and policies, including state-designed medicaid  
12 waiver programs, create disincentives for persons with  
13 disabilities to become employed, maintain employment, or  
14 increase their employment income.

15           The legislature also finds that from 2005 through 2012,  
16 Hawaii was the recipient of a grant from the federal Centers for  
17 Medicare and Medicaid Services for the development of a medicaid  
18 infrastructure program to design and implement a medicaid buy-in



1 program for individuals with disabilities who are employed or  
2 desire to become employed and purchase medicaid coverage  
3 authorized under the Ticket to Work and Work Incentives  
4 Improvement Act of 1999 (P.L. 106-170). Prior to 1999, other  
5 potential federal options for the creation of a medicaid buy-in  
6 program included the 1997 Balanced Budget Act and a waiver  
7 pursuant to title 42 United States Code section 1115, the Social  
8 Security Act.

9 The legislature further finds that it is advantageous for  
10 economic development in the State and in the best interests of  
11 Hawaii's citizens with disabilities to establish programs and  
12 policies that encourage employment. It is the intent of the  
13 legislature that all state agencies work with citizens to  
14 identify and remove barriers to employment for persons with  
15 disabilities. Adults with disabilities need adequate health  
16 insurance, but options for insurance coverage are limited, even  
17 with the federal Patient Protection and Affordable Care Act.

18 The purpose of this Act is to encourage individuals with  
19 disabilities to gain employment and improve their employment  
20 opportunities by expanding medicaid eligibility for workers with  
21 disabilities.



1 SECTION 2. Chapter 346, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§346- Working disabled adults eligibility group. (a)

5 There is established within the department a new medicaid  
6 eligibility group for workers with disabilities. The purpose of  
7 the medicaid disabled adults eligibility group is to support  
8 employment of individuals with disabilities by expanding their  
9 access to medicaid.

10 (b) Criteria for the medicaid working disabled adults  
11 eligibility group shall include:

- 12 (1) Be a resident of the State;
- 13 (2) Be at least nineteen years of age but less than sixty-  
14 five years of age;
- 15 (3) Meet medicaid citizenship requirements;
- 16 (4) Have a disability, as defined by the Social Security  
17 Administration; and
- 18 (5) Not be eligible for any other medicaid eligibility.

19 (c) The department shall use the same eligibility criteria  
20 for the working disabled adults eligibility group as for  
21 eligibility in the medicaid aged, blind, and disabled group,  
22 except that the department shall:



- 1        (1) Disregard earned income in an amount determined by the
- 2                department, but not less than \$1,000 per month; and
- 3        (2) Have an asset limit as determined by the department,
- 4                but not less than the asset limit for the medicaid
- 5                aged, blind, and disabled group.
- 6        (d) The department shall adopt rules pursuant to chapter
- 7        91 necessary for the purposes of this section."

8                SECTION 3. The department of human services shall

9        implement the working disabled adults eligibility group no later

10        than July 1, 2015.

11                SECTION 4. There is appropriated out of the general

12        revenues of the State of Hawaii the sum of \$                or so

13        much thereof as may be necessary for fiscal year 2015-2016 and

14        the same sum or so much thereof as may be necessary for fiscal

15        year 2016-2017 for the working disabled adults eligibility group

16        to support employment of individuals with disabilities by

17        expanding their access to medicaid.

18                The sums appropriated shall be expended by the department

19        of human services for the purposes of this Act.

20                SECTION 5. New statutory material is underscored.

21



1 SECTION 6. This Act shall take effect upon its approval;  
2 provided that section 4 shall take effect on July 1, 2015.

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**Report Title:**

Working Disabled Adults Eligibility Group; Medicaid;  
Appropriation

**Description:**

Establishes and appropriates funds for the working disabled adults eligibility group to expand access to medicaid for workers with disabilities. Requires the department of human services to implement the group by July 1, 2015. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

