



Ohio Legislative Service Commission

Bill Analysis

Bob Bennett

H.B. 255

130th General Assembly
(As Introduced)

Reps. Becker, Lynch

BILL SUMMARY

- Abolishes the Medicaid Buy-In for Workers with Disabilities program.
- Reduces the Medicaid program's income eligibility threshold for pregnant women to 133% (from 200%) of the federal poverty line.
- Reduces the Medicaid program's income eligibility threshold for residential parents and caretaker relatives to 34% (from 90%) of the federal poverty line.

CONTENT AND OPERATION

Medicaid Buy-In for Workers with Disabilities program

The bill abolishes the Medicaid Buy-In for Workers with Disabilities program.¹ The program was created in 2007 as part of the biennial budget act of the 127th General Assembly.²

Under the Medicaid Buy-In for Workers with Disabilities program, two groups that federal law permits a state's Medicaid program to cover (optional eligibility groups) may enroll in Medicaid. The first group consists of employed individuals with disabilities; the second consists of employed individuals with medically improved disabilities. Current state law sets the income eligibility threshold for both groups at 250% of the federal poverty line, and individuals with incomes exceeding 150% of the federal poverty line must pay annual premiums to enroll in Medicaid under the

¹ R.C. 5163.09 to 5163.0910 (repealed), 5163.01, 5163.06, 5163.09 (new), 5166.01, and 5166.04.

² Am. Sub. H.B. 119 of the 127th General Assembly.

program. Both groups also must meet other eligibility requirements, including a resource requirement.

In addition to abolishing the Medicaid Buy-In for Workers with Disabilities program, the bill expressly prohibits the Medicaid program from covering the two optional eligibility groups for whom the program was designed (i.e., employed individuals with disabilities and employed individuals with medically improved disabilities).

The bill abolishes the Medicaid Buy-In Advisory Council. The Council was created to consult with the Department of Job and Family Services before the adoption, amendment, or rescission of rules governing the Medicaid Buy-In for Workers with Disabilities program. (The Department of Medicaid is now responsible for Medicaid rules.) The Council also was charged with providing the Department suggestions for improving the program. Sub. S.B. 171 of the 129th General Assembly repealed the laws creating the Council and governing its duties. However, a few days after enacting S.B. 171, the 129th General Assembly enacted the biennial budget act, Am. Sub. H.B. 153, which amended the law creating the Council, but not the law governing the Council's duties. The Legal Review and Technical Services staff of the Legislative Service Commission has concluded that the law creating the Council was not repealed because H.B. 153 is the later enactment. (There is no dispute that the law governing the Council's duties has been repealed.) This means that the Council still exists in current law but has no specified duties.

Medicaid coverage of pregnant women

The bill reduces the Medicaid program's income eligibility threshold for pregnant women.³ Under current law, the income eligibility threshold is 200% of the federal poverty line for women during pregnancy and the 60-day period beginning on the last day of the pregnancy. The bill sets the income eligibility threshold at 133% of the federal poverty line.

Medicaid coverage of parents and caretaker relatives

The bill reduces the Medicaid program's income eligibility threshold for parents and caretaker relatives.⁴ Under current law, the income eligibility threshold is 90% of the federal poverty line for individuals who qualify for Medicaid on the basis of being residential parents or caretaker relatives. The bill sets the income eligibility threshold at 34% of the federal poverty line.

³ R.C. 5163.061.

⁴ R.C. 5163.07.

Effective date

The bill's provisions are to take effect on the later of January 1, 2014, or the earliest time permitted by law.⁵

HISTORY

ACTION	DATE
Introduced	08-27-13

H0255-I-130.docx/emr

⁵ Section 3.

