
SENATE BILL 5305

State of Washington

60th Legislature

2007 Regular Session

By Senators Franklin, Hargrove, Brandland, Eide, Hobbs, Spanel, Swecker, McAuliffe, Regala, Kauffman, Kohl-Welles, Fairley, Tom, Murray, Zarelli, Jacobsen, Keiser, Shin, Honeyford, Parlette, Rasmussen, Roach, Kline and Marr

Read first time 01/16/2007. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to extending medicaid coverage for foster youth;
2 amending RCW 74.09.530; reenacting and amending RCW 74.09.510; and
3 creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 74.09.510 and 2001 2nd sp.s. c 15 s 3 and 2001 1st
6 sp.s. c 4 s 1 are each reenacted and amended to read as follows:

7 Medical assistance may be provided in accordance with eligibility
8 requirements established by the department, as defined in the social
9 security Title XIX state plan for mandatory categorically needy persons
10 and:

11 (1) Individuals who would be eligible for cash assistance except
12 for their institutional status;

13 (2) Individuals who are under twenty-one years of age, who would be
14 eligible for medicaid, but do not qualify as dependent children and who
15 are in (a) foster care, (b) subsidized adoption, (c) a nursing facility
16 or an intermediate care facility for ~~((the))~~ persons who are mentally
17 retarded, or (d) inpatient psychiatric facilities;

18 (3) ~~((the))~~ Individuals who:

19 (a) Are under twenty-one years of age; and

1 (b) On the individual's eighteenth birthday, were in foster care,
2 and for whom the department or a federally recognized Indian tribe has
3 or has had placement and care responsibility;

4 (4) Persons who are aged, blind, (~~and~~) or disabled who: (a)
5 Receive only a state supplement, or (b) would not be eligible for cash
6 assistance if they were not institutionalized;

7 (~~(4)~~) (5) Categorically eligible individuals who meet the income
8 and resource requirements of the cash assistance programs;

9 (~~(5)~~) (6) Individuals who are enrolled in managed health care
10 systems, who have otherwise lost eligibility for medical assistance,
11 but who have not completed a current six-month enrollment in a managed
12 health care system, and who are eligible for federal financial
13 participation under Title XIX of the social security act;

14 (~~(6)~~) (7) Children and pregnant women allowed by federal statute
15 for whom funding is appropriated;

16 (~~(7)~~) (8) Working individuals with disabilities authorized under
17 section 1902(a)(10)(A)(ii) of the social security act for whom funding
18 is appropriated;

19 (~~(8)~~) (9) Other individuals eligible for medical services under
20 RCW 74.09.035 and 74.09.700 for whom federal financial participation is
21 available under Title XIX of the social security act;

22 (~~(9)~~) (10) Persons allowed by section 1931 of the social security
23 act for whom funding is appropriated; and

24 (~~(10)~~) (11) Women who: (a) Are under sixty-five years of age;
25 (b) have been screened for breast and cervical cancer under the
26 national breast and cervical cancer early detection program
27 administered by the department of health or tribal entity and have been
28 identified as needing treatment for breast or cervical cancer; and (c)
29 are not otherwise covered by health insurance. Medical assistance
30 provided under this subsection is limited to the period during which
31 the woman requires treatment for breast or cervical cancer, and is
32 subject to any conditions or limitations specified in the omnibus
33 appropriations act.

34 **Sec. 2.** RCW 74.09.530 and 2000 c 218 s 2 are each amended to read
35 as follows:

36 (1) The amount and nature of medical assistance and the
37 determination of eligibility of recipients for medical assistance shall

1 be the responsibility of the department of social and health services.
2 The department shall establish reasonable standards of assistance and
3 resource and income exemptions which shall be consistent with the
4 provisions of the Social Security Act and with the regulations of the
5 secretary of health, education and welfare for determining eligibility
6 of individuals for medical assistance and the extent of such assistance
7 to the extent that funds are available from the state and federal
8 government. The department shall not consider resources in determining
9 continuing eligibility for recipients eligible under section 1931 of
10 the social security act.

11 (2) Individuals eligible for medical assistance under RCW
12 74.09.510(3) shall be transitioned into coverage under that subsection
13 immediately upon their termination from coverage under RCW
14 74.09.510(2)(a). In determining continuing eligibility for coverage of
15 these individuals, the department shall use eligibility policies
16 applicable to children covered under RCW 74.09.510(7). The department,
17 in consultation with the health care authority, shall provide
18 information regarding basic health plan enrollment to individuals
19 covered under RCW 74.09.510(3) who are approaching their twenty-first
20 birthday.

21 NEW SECTION. Sec. 3. If any part of this act is found to be in
22 conflict with federal requirements that are a prescribed condition to
23 the allocation of federal funds to the state, the conflicting part of
24 this act is inoperative solely to the extent of the conflict and with
25 respect to the agencies directly affected, and this finding does not
26 affect the operation of the remainder of this act in its application to
27 the agencies concerned. Rules adopted under this act must meet federal
28 requirements that are a necessary condition to the receipt of federal
29 funds by the state.

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