

# SENATE BILL REPORT

## SHB 1199

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As Reported by Senate Committee On:  
Health & Long Term Care, March 20, 2019

**Title:** An act relating to health care for working individuals with disabilities.

**Brief Description:** Concerning health care for working individuals with disabilities.

**Sponsors:** House Committee on Appropriations (originally sponsored by Representatives Cody, DeBolt, Jinkins, Harris, Tharinger, Caldier, Robinson, Macri, Schmick, Stonier, Slatter, Wylie, Tarleton, Frame, Pollet and Riccelli).

**Brief History:** Passed House: 3/04/19, 97-0.

**Committee Activity:** Health & Long Term Care: 3/15/19, 3/20/19 [DP-WM].

### Brief Summary of First Substitute Bill

- Prohibits the Health Care Authority (HCA) from establishing restrictions for the Health Care for Workers with Disabilities (HWD) program based on a person's income or maximum age.
- Directs HCA to seek federal approval to exclude resources earned while a person is enrolled in the HWD program from being counted as resources when establishing subsequent eligibility for another medical assistance program.

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### SENATE COMMITTEE ON HEALTH & LONG TERM CARE

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Bailey, Becker, Conway, Frockt, Keiser and Van De Wege.

**Staff:** LeighBeth Merrick (786-7445)

**Background:** A person may qualify for federal Social Security benefits if the person has a disability that does not allow the person to engage in any substantial gainful activity because of a medically-determinable physical or mental impairment that is expected to result in death, or that has lasted or is expected to last for a continuous period of at least 12 months. The program includes several types of employment supports intended to help a person find a job,

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protect cash and medical benefits while the person works, and save for education. One of these supports is the federal Ticket to Work Program. One element of the program allows a person returning to work to buy in to Medicaid coverage.

Washington has implemented the Medicaid buy-in element of the Ticket to Work Program through the Health Care for Workers with Disabilities Program (HWD). To qualify for HWD, a person must be age sixteen through sixty-four, meet federal disability standards, have a net income at or below 220 percent of the federal poverty level, and be employed either full or part-time. An enrollee in HWD must pay a premium based on a sliding scale not to exceed 7.5 percent of the enrollee's income.

**Summary of Bill:** HCA may not establish eligibility restrictions for HWD based on a person's income or maximum age. Information about a person's income may only be used to establish cost sharing requirements.

HCA is required to seek federal approval to exclude resources earned during a person's enrollment in the HWD program from being counted as resources when the person is establishing subsequent eligibility for another medical assistance program.

**Appropriation:** The bill contains a null and void clause requiring specific funding be provided in an omnibus appropriation act.

**Fiscal Note:** Available. New fiscal note requested on March 13, 2019.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill takes effect on January 1, 2020.

**Staff Summary of Public Testimony:** PRO: People with disabilities should be able to work without having to choose between getting paid more money, working more hours or giving up their Medicaid benefits. Additionally, people with disabilities that work over the age of sixty-four should not lose their Medicaid benefits. This bill improves people's health and saves the system money because people who work are healthier and benefit from the natural support of the work place both of which reduces health care spending. This bill also alleviates the numerous restrictions that are place on people with disabilities and simplifies the eligibility process so that people do not fear that working will jeopardize their health care.

**Persons Testifying:** PRO: Brian Collins, Microsoft; Cathy Murahashi, Arc of King County; Emily Rogers, DD Council; Susan Harrell, WISE.

**Persons Signed In To Testify But Not Testifying:** No one.