

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 354
Appropriations/Base Budget Committee Substitute Adopted 4/23/09

Short Title: Social Security Increase/Medicaid Elig. (Public)

Sponsors:

Referred to:

March 2, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO
3 ADOPT A POLICY ALLOWING A CERTAIN INCOME DISREGARD UNDER THE
4 MEDICAID PROGRAM.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** The Department of Health and Human Services, Division of Medical
7 Assistance, shall adopt and implement a policy that will prevent a Medicaid recipient
8 (including MQB, QI-1 and QWD recipients) from losing Medicaid eligibility when the annual
9 Social Security and Railroad Retirement Cost of Living Adjustments (COLAs) and the annual
10 Federal Poverty Level adjustment cause a Medicaid recipient to become income-ineligible for
11 Medicaid benefits. The policy shall apply only in cases where Medicaid income eligibility is
12 affected only by Social Security and Railroad Retirement COLAs and Federal Poverty Level
13 adjustments and shall not render a Medicaid recipient eligible if all other eligibility
14 requirements are not met. This policy shall apply only to recipients of Medicaid and not to new
15 applicants for Medicaid. If approval from the Centers for Medicare and Medicaid Services
16 (CMS) is required for this policy to be implemented, the Department shall apply to CMS for
17 approval.

18 **SECTION 2.** This act is effective when it becomes law and applies to all eligible
19 Medicaid recipients as of March 31, 2009.

