
SUBSTITUTE SENATE BILL 6583

State of Washington

60th Legislature

2008 Regular Session

By Senate Ways & Means (originally sponsored by Senators Brandland and Hargrove)

READ FIRST TIME 02/12/08.

1 AN ACT Relating to eligibility for medical assistance; amending RCW
2 74.09.510 and 74.09.530; creating a new section; and providing an
3 effective date.

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

5 **Sec. 1.** RCW 74.09.510 and 2007 c 315 s 1 are each amended to read
6 as follows:

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

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

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

19 ~~((3))~~ (c) Individuals who:

1 ~~((a))~~ (i) Are under twenty-one years of age;

2 ~~((b))~~ (ii) On or after July 22, 2007, were in foster care under
3 the legal responsibility of the department or a federally recognized
4 tribe located within the state; and

5 ~~((c))~~ (iii) On their eighteenth birthday, were in foster care
6 under the legal responsibility of the department or a federally
7 recognized tribe located within the state;

8 ~~((4))~~ (d) Persons who are aged, blind, or disabled who: ~~((a))~~
9 (i) Receive only a state supplement, or ~~((b))~~ (ii) would not be
10 eligible for cash assistance if they were not institutionalized;

11 ~~((5))~~ (e) Categorically eligible individuals who meet the income
12 and resource requirements of the cash assistance programs;

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

18 ~~((7))~~ (g) Children and pregnant women allowed by federal statute
19 for whom funding is appropriated;

20 ~~((8))~~ (h) Working individuals with disabilities authorized under
21 section 1902(a)(10)(A)(ii) of the social security act for whom funding
22 is appropriated;

23 ~~((9))~~ (i) Other individuals eligible for medical services under
24 RCW 74.09.035 and 74.09.700 for whom federal financial participation is
25 available under Title XIX of the social security act;

26 ~~((10))~~ (j) Persons allowed by section 1931 of the social security
27 act for whom funding is appropriated; and

28 ~~((11))~~ (k) Women who: ~~((a))~~ (i) Are under sixty-five years of
29 age; ~~((b))~~ (ii) have been screened for breast and cervical cancer
30 under the national breast and cervical cancer early detection program
31 administered by the department of health or tribal entity and have been
32 identified as needing treatment for breast or cervical cancer; and
33 ~~((c))~~ (iii) are not otherwise covered by health insurance. Medical
34 assistance provided under this subsection (1)(k) is limited to the
35 period during which the woman requires treatment for breast or cervical
36 cancer, and is subject to any conditions or limitations specified in
37 the omnibus appropriations act.

1 (2) To the extent permitted under federal law, the department shall
2 set the categorically needy income level for adults who are sixty-five
3 years of age or older, blind, or disabled, at eighty percent of the
4 federal poverty level as adjusted annually beginning July 1, 2009, at
5 ninety percent beginning July 1, 2011, and at one hundred percent
6 beginning July 1, 2013. As used in this section, "federal poverty
7 level" refers to the poverty guidelines updated periodically in the
8 federal register by the United States department of health and human
9 services under the authority of 42 U.S.C. Sec. 9902(2).

10 **Sec. 2.** RCW 74.09.530 and 2007 c 315 s 2 are each amended to read
11 as follows:

12 (1) The amount and nature of medical assistance and the
13 determination of eligibility of recipients for medical assistance shall
14 be the responsibility of the department of social and health services.
15 The department shall establish reasonable standards of assistance and
16 resource and income exemptions which shall be consistent with the
17 provisions of the Social Security Act and with the regulations of the
18 secretary of health, education and welfare for determining eligibility
19 of individuals for medical assistance and the extent of such assistance
20 to the extent that funds are available from the state and federal
21 government. The department shall not consider resources in determining
22 continuing eligibility for recipients eligible under section 1931 of
23 the social security act.

24 (2) Individuals eligible for medical assistance under RCW
25 74.09.510(~~(+3)~~) (1)(c) shall be transitioned into coverage under that
26 subsection immediately upon their termination from coverage under RCW
27 74.09.510(~~(+2)(a)~~) (1)(b)(i). The department shall use income
28 eligibility standards and eligibility determinations applicable to
29 children placed in foster care. The department, in consultation with
30 the health care authority, shall provide information regarding basic
31 health plan enrollment and shall offer assistance with the application
32 and enrollment process to individuals covered under RCW
33 74.09.510(~~(+3)~~) (1)(c) who are approaching their twenty-first
34 birthday.

35 NEW SECTION. **Sec. 3.** If specific funding for the purposes of this

1 act, referencing this act by bill or chapter number, is not provided by
2 June 30, 2009, in the omnibus appropriations act, this act is null and
3 void.

4 NEW SECTION. **Sec. 4.** This act takes effect July 1, 2009.

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