

HOUSE BILL NO. 687

INTRODUCED BY B. MERCER

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE AGE OF EXPANDED MEDICAID PARTICIPANTS WHO ARE REQUIRED TO PARTICIPATE IN COMMUNITY ENGAGEMENT ACTIVITIES; AND AMENDING SECTION 53-6-1308, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-6-1308, MCA, is amended to read:

"53-6-1308. (Temporary) Community engagement requirements -- countable activities -- exemptions -- self-attestation. (1) Except as provided in subsections (3) through (5), an individual receiving coverage under this part shall participate in 80 hours of community engagement activities each month if the individual is at least 19 years of age but no more than ~~55~~ 62 years of age.

(2) Time spent in one or more of the following activities may be counted toward the monthly requirement for community engagement:

- (a) employment;
- (b) work readiness or workforce training activities;
- (c) secondary, postsecondary, or vocational education;
- (d) substance abuse education or substance use disorder treatment;
- (e) other work or community engagement activities that promote work or work readiness or advance the health purpose of the medicaid program;
- (f) a community service or volunteer opportunity; or
- (g) any other activity required by the centers for medicare and medicaid services for the purpose of obtaining necessary waivers under this part.

(3) A program participant is exempt from the requirements of this section if the participant is:

- (a) medically frail as defined in 42 CFR 440.315;
- (b) blind or disabled;

- 1 (c) pregnant;
- 2 (d) experiencing an acute medical condition requiring immediate medical treatment;
- 3 (e) mentally or physically unable to work;
- 4 (f) a primary caregiver for a person who is unable to provide self-care;
- 5 (g) a foster parent;
- 6 (h) a full-time student in a secondary school;
- 7 (i) a student enrolled in the equivalent of at least six credits in a postsecondary or vocational
- 8 institution;
- 9 (j) participating in or exempt from the work requirements of the temporary assistance for needy
- 10 families program or the supplemental nutrition assistance program;
- 11 (k) under supervision of the department of corrections, a county jail, or another entity as directed
- 12 by a court, the department of corrections, or the board of pardons and parole;
- 13 (l) experiencing chronic homelessness;
- 14 (m) a victim of domestic violence as defined by the Personal Responsibility and Work Opportunity
- 15 Reconciliation Act of 1996, 42 U.S.C. 601, et seq.;
- 16 (n) living in an area with a high-poverty designation;
- 17 (o) a member of an entity subject to the fee provided for in 15-30-2660(3); or
- 18 (p) otherwise exempt under federal law.
- 19 (4) A program participant is exempt from the requirements of this section if the department
- 20 determines that the participant's income exceeds an amount equal to the average of 80 hours per month
- 21 multiplied by the minimum wage.
- 22 (5) A program participant is exempt from the requirements of this section in any reporting period in
- 23 which the participant:
- 24 (a) is hospitalized or caring for an immediate family member who has been hospitalized;
- 25 (b) has a documented serious illness or incapacity or is caring for an immediate family member
- 26 with a documented serious illness or incapacity; or
- 27 (c) is impacted by a catastrophic event or hardship as defined by the department by rule that
- 28 prevents the participant from complying with the community engagement requirements of this section.

- (6) The department may determine, through use of available administrative data, that a program participant:
- (a) meets the community engagement requirements of this section; or
- (b) is exempt from meeting the community engagement requirements. (Terminates June 30, 2025, on occurrence of contingency--sec. 48, Ch. 415, L. 2019.)"
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