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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 2762

02/20/2018 Authored by Quam
The bill was read for the first time and referred to the Committee on Health and Human Services Reform

1.1 A bill for an act
1.2 relating to human services; adding an income disregard for medical assistance;
1.3 amending Minnesota Statutes 2016, section 256B.056, subdivision 4.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2016, section 256B.056, subdivision 4, is amended to read:

1.6 Subd. 4. **Income.** (a) To be eligible for medical assistance, a person eligible under section
1.7 256B.055, subdivisions 7, 7a, and 12, may have income up to 100 percent of the federal
1.8 poverty guidelines. Effective January 1, 2000, and each successive January, recipients of
1.9 Supplemental Security Income may have an income up to the Supplemental Security Income
1.10 standard in effect on that date.

1.11 (b) Effective January 1, 2014, to be eligible for medical assistance, under section
1.12 256B.055, subdivision 3a, a parent or caretaker relative may have an income up to 133
1.13 percent of the federal poverty guidelines for the household size.

1.14 (c) To be eligible for medical assistance under section 256B.055, subdivision 15, a
1.15 person may have an income up to 133 percent of federal poverty guidelines for the household
1.16 size.

1.17 (d) To be eligible for medical assistance under section 256B.055, subdivision 16, a child
1.18 age 19 to 20 may have an income up to 133 percent of the federal poverty guidelines for
1.19 the household size.

1.20 (e) To be eligible for medical assistance under section 256B.055, subdivision 3a, a child
1.21 under age 19 may have income up to 275 percent of the federal poverty guidelines for the
1.22 household size or an equivalent standard when converted using modified adjusted gross

2.1 income methodology as required under the Affordable Care Act. Children who are enrolled
2.2 in medical assistance as of December 31, 2013, and are determined ineligible for medical
2.3 assistance because of the elimination of income disregards under modified adjusted gross
2.4 income methodology as defined in subdivision 1a remain eligible for medical assistance
2.5 under the Children's Health Insurance Program Reauthorization Act of 2009, Public Law
2.6 111-3, until the date of their next regularly scheduled eligibility redetermination as required
2.7 in subdivision 7a.

2.8 (f) In computing income to determine eligibility of persons under paragraphs (a) to (e)
2.9 who are not residents of long-term care facilities, the commissioner shall disregard increases
2.10 in income as required by Public Laws 94-566, section 503; 99-272; and 99-509. For persons
2.11 eligible under paragraph (a), veteran aid and attendance benefits and Veterans Administration
2.12 unusual medical expense payments are considered income to the recipient.

2.13 (g) In computing income to determine eligibility of persons under section 256B.055,
2.14 subdivisions 4 and 7, who were enrolled in at least ten of the 12 months preceding the month
2.15 in which the person experienced an increase in earned income and when the increased earned
2.16 income results in the person's countable income exceeding the limits in paragraph (a), the
2.17 commissioner shall disregard the increase in earned income for a total of six months.

2.18 **EFFECTIVE DATE.** This section is effective upon federal approval or July 1, 2018,
2.19 whichever occurs later. The commissioner of human services shall notify the revisor of
2.20 statutes when federal approval is obtained.