

**HOUSE BILL NO. 1036**

Introduced by

Legislative Council

(Budget Committee on Health Care)

1 A BILL for an Act to amend and reenact section 50-24.1-02.6 of the North Dakota Century  
2 Code, relating to eligibility criteria for medical assistance benefits.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 50-24.1-02.6 of the North Dakota Century Code  
5 is amended and reenacted as follows:

6 **50-24.1-02.6. Medical assistance benefits - Eligibility criteria.**

- 7 1. The department shall provide medical assistance benefits to otherwise eligible  
8 persons who are:
- 9 a. Medically needy persons who have countable income that does not exceed  
10 an amount determined under subsection 2; and
- 11 b. Minors who have countable income that does not exceed an amount  
12 determined under subsection 3.
- 13 2. The department of human services shall establish an income level for medically  
14 needy persons at an amount, no less than required by federal law, that, consistent  
15 with the requirements of subsection 3, is the greatest income level achievable  
16 without exceeding legislative appropriations for that purpose.
- 17 3. The department of human services shall establish income levels for minors, based  
18 on the age of the minors, at amounts, no less than required by federal law, that  
19 provide an income level for all minors born before September 30, 1983, equal to  
20 one hundred percent of the federal poverty level in the month for which eligibility for  
21 medical assistance benefits is being determined and that do not exceed legislative  
22 appropriations for that purpose.

- 1           4.   Once each calendar quarter, the department of human services shall review the
- 2                   income eligibility of minors and pregnant women who are receiving medical
- 3                   assistance benefits.