

Fifty-eighth  
Legislative Assembly  
of North Dakota

## ENGROSSED SENATE BILL NO. 2194

Introduced by

Senator J. Lee

Representative Price

1 A BILL for an Act to provide for the establishment of a medical assistance buy-in program for  
2 individuals with disabilities and to provide for personal care services for eligible medical  
3 assistance recipients.

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

5 **SECTION 1. Medical assistance buy-in program for disabled.** The department of  
6 human services shall establish and implement a buy-in program to provide medical assistance  
7 to an individual who meets the definition of disabled under the supplemental security income  
8 program under title XVI of the federal Social Security Act, who is eighteen to sixty-four years of  
9 age, and who is gainfully employed a minimum of forty hours per month. The program must:

- 10 1. Be made available to an individual with a disability who is a member of a family the  
11 total annual income of which is less than two hundred fifty percent of the most  
12 recently revised official poverty line published by the federal office of management  
13 and budget for the family;
- 14 2. Provide for an asset limit of three thousand dollars with an additional asset limit of  
15 ten thousand dollars if the additional asset limit is earned while an eligible  
16 individual is enrolled in the program;
- 17 3. Require the payment of a premium that is based upon a sliding scale which may  
18 not be less than two and one-half percent nor more than seven and one-half  
19 percent of the individual's income;
- 20 4. Include a one-time program enrollment fee of one hundred dollars;
- 21 5. Provide for the same medical review requirements that are required under the  
22 federal Ticket to Work and Work Incentives Improvement Act of 1999 [42 U.S.C.  
23 1320b-19];

1           6.    Provide that an individual enrolled in the program whose employment is  
2                    involuntarily terminated may remain eligible for the program for twelve months from  
3                    the date of termination of employment if the individual continues to meet income  
4                    and asset criteria; and

5           7.    Provide that the failure of an enrolled individual to pay premiums for three  
6                    consecutive months may result in the termination of enrollment in the program.

7           **SECTION 2. Personal care services.** Subject to the requirements under title 40,  
8 Code of Federal Regulations, part 440, section 167, the department of human services shall  
9 provide personal care services for eligible medical assistance recipients who are residing in  
10 their own homes.