

**SECOND ENGROSSMENT
with House Amendments**

Fifty-eighth
Legislative Assembly
of North Dakota

REENGROSSED 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; and to provide an expiration date.

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 at least eighteen but less than
9 sixty-five years of age, and who is gainfully employed. 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 twenty-five percent of the
12 most recently revised official poverty line published by the federal office of
13 management and budget for the family;
- 14 2. Disregard up to an additional ten thousand dollars earned while an eligible
15 individual is enrolled in medical assistance and retained as an approved plan to
16 achieve self-support;
- 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; and
- 21 5. Provide that the failure of an enrolled individual to pay premiums for three
22 consecutive months may result in the termination of enrollment in the program.

23 **SECTION 2. Personal care services.** Subject to the requirements under title 42,
24 Code of Federal Regulations, part 440, section 167, the department of human services shall

1 provide personal care services for eligible medical assistance recipients who are residing in
2 their own homes.

3 **SECTION 3. EXPIRATION DATE.** This Act is effective through June 30, 2005, and
4 after that date is ineffective.