

HOUSE BILL NO. 1067

Introduced by

Human Services Committee

(At the request of the Department of Health and Human Services)

1 A BILL for an Act to amend and reenact sections 50-24.1-02.6 and 50-24.1-26 of the North
2 Dakota Century Code, relating to medical assistance benefits and Medicaid waivers.

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 is
5 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 medically needy persons who have countable income that does not
9 exceed an amount determined under subsection 2.
- 10 2. The department shall establish an income level for medically needy persons at an
11 amount no less than required by federal law.
- 12 3. The department shall provide medical assistance benefits to children and families
13 coverage groups and pregnant women without consideration of assets.
- 14 4. The department shall provide medical assistance benefits to otherwise eligible
15 pregnant women who are lawfully present in the United States.
- 16 5. The department may require, as a condition of eligibility, individuals eligible for
17 Medicare part A, B, or D to apply for such coverage.
- 18 6. The department shall provide medical assistance benefits to otherwise eligible children
19 who are lawfully present in the United States.

20 **SECTION 2. AMENDMENT.** Section 50-24.1-26 of the North Dakota Century Code is
21 amended and reenacted as follows:

22 **50-24.1-26. Medicaid waivers - In-home services.**

23 The department shall administer Medicaid waivers to provide in-home services to children
24 with extraordinary medical needs and to children ~~up to the age of eighteen~~ diagnosed with an

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- 1 autism spectrum disorder who are under the age of twenty-one and would otherwise meet
- 2 institutional level of care. The department may prioritize applicants for the waiver for children
- 3 with extraordinary medical needs by degree of need.