

**HOUSE . . . . . No. 3489**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***James J. Lyons, Jr.***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to Medicaid fees.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>James J. Lyons, Jr.</i>	<i>18th Essex</i>	<i>1/19/2017</i>
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>	<i>10/19/2017</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>10/19/2017</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>	<i>3/29/2017</i>
<i>Peter J. Durant</i>	<i>6th Worcester</i>	<i>3/28/2017</i>
<i>Marc T. Lombardo</i>	<i>22nd Middlesex</i>	<i>3/28/2017</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>10/19/2017</i>

**HOUSE . . . . . No. 3489**

By Mr. Lyons of Andover, a petition (accompanied by bill, House, No. 3489) of James J. Lyons, Jr., and others relative to Medicaid fees. Health Care Financing.

**The Commonwealth of Massachusetts**

**In the One Hundred and Ninetieth General Court  
(2017-2018)**

An Act relative to Medicaid fees.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 9A of chapter 118E of the General Laws, as appearing in the 2014  
2 Official Edition, is hereby amended by inserting after paragraph (8) the following paragraph:-

3 (8 ½) In addition to premiums and copayments established by paragraph (8), the division  
4 shall establish a fee on each MassHealth health insurance plan to be paid by the beneficiary  
5 household, except a beneficiary household with an income equal to or less than the federal  
6 poverty level.

7 The fee due pursuant to this section shall be assessed on sliding scale commensurate with  
8 beneficiary household income levels; provided, that the total amount that shall be collected by  
9 the division from all beneficiaries, except beneficiaries with an income equal to or less than the  
10 federal poverty level shall be an amount equal to the number of MassHealth beneficiaries with an  
11 income above the federal poverty level multiplied by \$2,000.

12           The division shall calculate the fee due from each beneficiary household by creating 6  
13 beneficiary household income levels: (i) beneficiary households with an income greater than the  
14 federal poverty level but less than 133 per cent of the federal poverty level; (ii) beneficiary  
15 households with an income not less than 133 per cent of the federal poverty level but less than  
16 150 per cent of the federal poverty level; (iii) beneficiary households with an income not less  
17 than 150 per cent of the federal poverty level but less than 200 per cent of the federal poverty  
18 level; (iv) beneficiary households with an income not less than 200 per cent of the federal  
19 poverty level but less than 300 per cent of the federal poverty level; (v) beneficiary households  
20 with an income not less than 300 per cent of the federal poverty level but less than 400 per cent  
21 of the federal poverty level; and (vi) beneficiary households with an income not less than 400 per  
22 cent of the federal poverty level.

23           SECTION 2. Said chapter 118E is hereby further amended by adding the following  
24 section:-

25           Section 78. On or before March 30 of each year, the secretary shall apply to the federal  
26 Centers for Medicare and Medicaid Services for a waiver or amendment to a current waiver  
27 pursuant to section 1115 of the federal Social Security Act, 42 USC Section 1315, to allow the  
28 commonwealth to require the following: (a) no employee who is offered subsidized health  
29 insurance coverage by his employer shall be eligible for any healthcare program funded by the  
30 commonwealth; and (b) to institute a work requirement for all able-bodied adults receiving any  
31 health care services funded by the commonwealth. The work requirement shall: (1) require an  
32 eligible person to: (i) become employed, (ii) actively seek employment, which would be verified  
33 by the division, or (iii) attend a job training program; (2) require an eligible person to verify on a  
34 monthly basis compliance with requirements of subdivision (1) of this paragraph and any change

35 in family income; (3) require the administration to confirm an eligible person's change in family  
36 income as reported pursuant to subdivision (2) of this paragraph and determine the person's  
37 eligibility under this article; (4) allow the administration to ban an eligible person from  
38 enrollment for 1 year if the eligible person failed to report a change in family income or made a  
39 false statement regarding compliance with the requirements of subdivision (1) of this paragraph.;  
40 and (5) allow for an exemption if a person meets any of the following conditions: (i) is at least 18  
41 years of age but is still attending high school as a full-time student; (ii) is the sole caregiver of a  
42 family member who is under 5 years of age; or (iii) is currently receiving temporary or  
43 permanent long-term disability benefits from a private insurer or the government.

44       Upon the approval of such waiver pursuant to section 1115 of the federal Social Security  
45 Act, 42 USC Section 1315, for any of the requirements of this section, the secretary shall take all  
46 actions necessary to implement the requirements of this section.

47       SECTION 3. Chapter 176Q of the General Laws is hereby amended by adding the  
48 following section:-

49       Section 19. On or before March 30 of each year, the board shall apply to the federal  
50 Centers for Medicare and Medicaid Services for a waiver or amendment to a current waiver  
51 pursuant to section 1115 of the federal Social Security Act, 42 USC Section 1315, to allow the  
52 commonwealth to require that no employee who is offered subsidized health insurance coverage  
53 by an employer shall be eligible for a healthcare program funded by the commonwealth.

54       Upon the approval of such waiver pursuant to section 1115 of the federal Social Security  
55 Act, 42 USC Section 1315, the board shall take all necessary actions to implement this section.