

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/Senate Bill No. 29, Page 1, Section title, Lines 5-6,

of the title, by striking "reimbursement allowance assessments" and inserting in lieu thereof the following: "MO HealthNet"; and

Further amend said bill and page, Section 198.439, Line 10 of said page, by inserting after all of said line the following:

"208.185. 1. Beginning January 1, 2020, MO HealthNet participants ages nineteen to sixty-four shall comply with the work and community engagement requirements under this section in order to remain eligible for MO HealthNet benefits, unless such participant is otherwise exempt from such requirements. Work and community engagement requirements shall include at least eighty hours each month of the following:

(1) Unsubsidized or subsidized private or public sector employment;

(2) Education, including vocational educational training, job skills training directly related to employment, education directly related to employment for individuals who have not received a high school diploma or certificate of high school equivalency, or satisfactory attendance at a secondary school;

(3) Community service;

(4) Job search and job readiness assistance;

(5) Provision of child care services to an individual who is participating in a community service program;

(6) Satisfaction of work requirements for participants of

1 temporary assistance for needy families or the supplemental
2 nutrition assistance program who are also MO HealthNet
3 participants;

4 (7) Participation in a substance abuse treatment program;
5 or

6 (8) Any combination thereof.

7 2. The work and community engagement requirements under
8 this section shall not apply to a participant who is:

9 (1) Under the age of nineteen or over the age of sixty-
10 four;

11 (2) Medically frail, including individuals:

12 (a) With disabling mental disorders;

13 (b) With serious and complex medical conditions;

14 (c) With a physical, intellectual, or developmental
15 disability that significantly impairs their ability to perform
16 one or more activities of daily living; or

17 (d) With a disability determination based on criteria under
18 the Social Security Act, including a current determination by the
19 department of social services that he or she is permanently or
20 totally disabled;

21 (3) Pregnant or caring for a child under the age of one or
22 otherwise a recipient of MO HealthNet services under section
23 208.662;

24 (4) A primary caregiver of a dependent child under the age
25 of six or a dependent adult; provided, that not more than one
26 participant may claim primary caregiver status in a household; or

27 (5) A participant who is also a participant of temporary
28 assistance for needy families or the supplemental nutrition
29 assistance program and who is exempt from the work requirements

1 of either of those programs.

2 3. In order that work and community engagement requirements
3 shall not be impossible or unduly burdensome for participants,
4 the department may permit further exemptions from the work and
5 community engagement requirements under this section in areas of
6 high unemployment, limited economies or educational
7 opportunities, or lack of public transportation, or for good
8 cause. Good cause shall include, but not be limited to, the
9 following circumstances:

10 (1) The participant has a disability as defined by the
11 Americans with Disabilities Act, Section 504 of the
12 Rehabilitation Act of 1973, or Section 1557 of the Patient
13 Protection and Affordable Care Act and is unable to meet the work
14 and community engagement requirements for reasons related to that
15 disability;

16 (2) The participant has an immediate family member in the
17 home with a disability as defined by the Americans with
18 Disabilities Act, Section 504 of the Rehabilitation Act of 1973,
19 or Section 1557 of the Patient Protection and Affordable Care Act
20 and the participant is unable to meet the work and community
21 engagement requirements for reasons related to the disability of
22 such family member;

23 (3) The participant or an immediate family member in the
24 home experiences a hospitalization or serious illness;

25 (4) The participant experiences the birth or death of a
26 family member in the home;

27 (5) The participant experiences severe inclement weather,
28 including a natural disaster, and is unable to meet the work and
29 community engagement requirements; and

1 (6) The participant experiences a family emergency or other
2 life-changing event, including divorce or domestic violence.

3 4. The department shall provide reasonable accommodations
4 for participants with disabilities as defined by the Americans
5 with Disabilities Act, Section 504 of the Rehabilitation Act of
6 1973, or Section 1557 of the Patient Protection and Affordable
7 Care Act, as necessary, to enable such participants an equal
8 opportunity to participant in and benefit from the work and
9 community engagement requirements under this section. Reasonable
10 accommodations shall include, but not be limited to, the
11 following:

12 (1) Exemption from the work and community engagement
13 requirements when the participant is unable to comply for reasons
14 relating to his or her disability;

15 (2) Modification in the number of hours of work and
16 community engagement required when a participant is unable to
17 comply with the required number of hours; and

18 (3) Provision of support services necessary for compliance,
19 when compliance is possible with such supports.

20 5. The department may promulgate rules and regulations to
21 implement the provisions of this section. Any rule or portion of
22 a rule, as that term is defined in section 536.010 that is
23 created under the authority delegated in this section shall
24 become effective only if it complies with and is subject to all
25 of the provisions of chapter 536, and, if applicable, section
26 536.028. This section and chapter 536 are nonseverable and if
27 any of the powers vested with the general assembly pursuant to
28 chapter 536, to review, to delay the effective date, or to
29 disapprove and annul a rule are subsequently held

1 unconstitutional, then the grant of rulemaking authority and any
2 rule proposed or adopted after August 28, 2019, shall be invalid
3 and void.

4 6. The department shall seek all appropriate waivers and
5 state plan amendments from the federal Department of Health and
6 Human Services necessary to implement the provisions of this
7 section. The provisions of this section shall not be implemented
8 unless such waivers and state plan amendments are approved."; and

9 Further amend the title and enacting clause accordingly.