

B-Engrossed
Senate Bill 782

Ordered by the House June 27
Including Senate Amendments dated April 26 and House Amendments
dated June 27

Sponsored by Senator MORRISETTE, Representatives DALTO, GREENLICK (at the request of Lee Hazelwood)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires Department of Human Services to inform former recipients of public assistance who have been terminated from programs due to ineligibility or termination of program that former recipient may reapply if circumstances affecting eligibility change. Applies only to notices of termination that are revised or developed by department on or after effective date of Act.

Directs department to apply to Centers for Medicare and Medicaid Services for approval to exempt certain medical assistance recipients from payment of monthly premiums. Requires department to adopt rules implementing exemption after receipt of approval.

Directs department to apply to Centers for Medicare and Medicaid Services for approval to grant certain medical assistance recipients who are not exempt from requirement to pay monthly premiums grace period for payment of overdue premiums and to allow reapplication for medical assistance as soon as overdue payments are paid in full. Requires department to adopt rules implementing provisions after receipt of approval.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to public assistance; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Sections 2, 4 and 6 of this 2005 Act are added to and made a part of ORS**
5 **chapter 411.**

6 **SECTION 2. When the Department of Human Services terminates a grant of public as-**
7 **sistance due to the ineligibility of a recipient or the termination of a public assistance pro-**
8 **gram, the department shall include in the notice of termination a statement indicating that**
9 **if circumstances affecting the eligibility of the recipient change, the recipient may contact**
10 **the department and reapply for public assistance.**

11 **SECTION 3. Section 2 of this 2005 Act applies only to notices of termination that are**
12 **revised or developed by the Department of Human Services on or after the effective date of**
13 **this 2005 Act.**

14 **SECTION 4. Notwithstanding ORS 414.065, the Department of Human Services shall adopt**
15 **rules under section 5 (2) of this 2005 Act exempting recipients of medical assistance under**
16 **ORS 414.706 (5) whose family income is no more than 10 percent of the federal poverty**
17 **guidelines, as defined in ORS 414.340, from the requirement to pay monthly premium pay-**
18 **ments.**

19 **SECTION 5. (1) No later than 30 days after the effective date of this 2005 Act, the De-**
20 **partment of Human Services shall apply for approval from the Centers for Medicare and**
21 **Medicaid Services to exempt recipients of medical assistance under ORS 414.706 (5) whose**

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 family income is no more than 10 percent of the federal poverty guidelines, as defined in ORS
2 414.340, from the requirement to pay monthly premium payments.

3 (2) The department shall adopt rules implementing section 4 of this 2005 Act as soon as
4 practicable after receipt of the necessary approval.

5 **SECTION 6.** (1) The Department of Human Services shall adopt rules under section 7 (2)
6 of this 2005 Act granting recipients of medical assistance under ORS 414.706 (5) who are not
7 exempt from the requirement to pay monthly premiums a grace period of six months for
8 payment of overdue premiums.

9 (2) If a recipient has not paid the amount of overdue premiums in full at the end of the
10 grace period described in subsection (1) of this section, the department may disqualify the
11 recipient if the recipient is not otherwise eligible for medical assistance.

12 (3) A recipient who is disqualified under subsection (2) of this section may reapply for
13 medical assistance as soon as the recipient has paid the amount of overdue premiums in full.

14 **SECTION 7.** (1) No later than 30 days after the effective date of this 2005 Act, the De-
15 partment of Human Services shall apply for approval from the Centers for Medicare and
16 Medicaid Services granting recipients of medical assistance under ORS 414.706 (5) who are
17 not exempt from the requirement to pay monthly premium payments a grace period of six
18 months for payment of overdue premiums and permitting recipients to reapply for medical
19 assistance as soon as the recipient has paid the amount of overdue premiums in full.

20 (2) The department shall adopt rules implementing section 6 of this 2005 Act as soon as
21 practicable after receipt of the necessary approval.

22 **SECTION 8.** This 2005 Act being necessary for the immediate preservation of the public
23 peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect
24 on its passage.