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# A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 346, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§346- Presumptive eligibility under medicaid for  
5 waitlisted patients. (a) The department shall presume that a  
6 waitlisted patient applying for medicaid is eligible for  
7 coverage; provided that the applicant is able to show proof of:

- 8 (1) An annual income at or below the maximum level allowed  
9 under federal law or under a waiver approved for  
10 Hawaii under 42 United States Code section 1396n, as  
11 applicable;  
12 (2) Verification of assets;  
13 (3) Confirmation of waitlisted status as certified by a  
14 health care provider licensed in Hawaii; and  
15 (4) Meeting the level of care requirement for  
16 institutional or home- and community-based long-term  
17 care as determined by a physician licensed in Hawaii.



1 The department shall notify the applicant and the facility of  
2 the presumptive eligibility on the date of receipt of the  
3 application. The applicant shall submit the remaining documents  
4 necessary to qualify for medicaid coverage within ten business  
5 days after the applicant's receipt of notification of  
6 presumptive eligibility from the department. The department  
7 shall notify the applicant of eligibility within five business  
8 days of receipt of the completed application for medicaid  
9 coverage.

10 Waitlisted patients who are presumptively covered by  
11 medicaid shall be eligible for services and shall be processed  
12 for coverage under the State's qualifying medicaid program.

13 (b) If the waitlisted patient is later determined to be  
14 ineligible for medicaid after receiving services during the  
15 period of presumptive eligibility, the department shall  
16 disenroll the patient and notify the provider and the plan, if  
17 applicable, of disenrollment by facsimile transmission or  
18 electronic mail. The department shall provide reimbursement to  
19 the provider or the plan for the time during which the  
20 waitlisted patient was enrolled."

21 SECTION 2. The department of human services shall submit a  
22 report to the legislature no later than twenty days prior to the



1 convening of the regular sessions of 2013 through 2017,  
2 inclusive, of findings and recommendations regarding the costs  
3 and other issues related to medicaid presumptive eligibility.

4 SECTION 3. There is appropriated out of the general  
5 revenues of the State of Hawaii the sum of \$200,000 or so much  
6 thereof as may be necessary for fiscal year 2012-2013 to cover  
7 the cost of any reimbursements made to providers or plans for  
8 services provided during the time waitlisted patients are  
9 enrolled but eventually determined to be ineligible.

10 The sum appropriated shall be expended by the department of  
11 human services for the purposes of this Act.

12 SECTION 4. New statutory material is underscored.

13 SECTION 5. This Act shall take effect on July 1, 2012, and  
14 shall be repealed on July 1, 2017.

INTRODUCED BY:

*John M. ...*  
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JAN 25 2012



# H.B. NO. 2864

**Report Title:**

Medicaid; Presumptive Eligibility; Long-Term Care

**Description:**

Grants presumptive eligibility to medicaid-eligible patients who have been waitlisted for long-term care.

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