

HOUSE BILL NO. 362

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTIETH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE EASTMAN

Introduced: 2/21/18

Referred:

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to a work requirement for the state medical assistance program;**
2 **prohibiting the Department of Health and Social Services from requesting, accepting, or**
3 **attempting to renew or extend a waiver of work requirements or time limits for an able-**
4 **bodied adult, without dependents, in the food stamp program; and providing for an**
5 **effective date."**

6 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

7 *** Section 1.** AS 47.07.020 is amended by adding new subsections to read:

8 (o) Notwithstanding the eligibility provisions under (a) and (b) of this section,
9 a person may not receive medical assistance under this section unless the person
10 demonstrates that the person is participating in one or more of the following activities
11 for a combined total of 20 hours each week, averaged over a one-month period, or is
12 exempt under (p) of this section:

13 (1) employment;

- 1 (2) a work program established by the department; or
 2 (3) volunteering.
- 3 (p) A person is exempt from the requirement under (o) of this section if the
 4 person is
- 5 (1) under 18 years of age or 65 years of age or older;
 6 (2) the parent or caretaker of a dependent child of up to 12 months of
 7 age and the parent or caretaker is providing home care for the child;
 8 (3) the parent or caretaker of a child experiencing a disability and the
 9 parent or caretaker is providing home care for the child;
 10 (4) the caretaker of a relative who is experiencing a disability and
 11 requires 24-hour care;
 12 (5) the parent or caretaker of a child under six years of age and the
 13 parent or caretaker demonstrates that appropriate child care is not available;
 14 (6) unable to work for medical reasons, as determined by a licensed
 15 medical professional;
 16 (7) pregnant;
 17 (8) receiving unemployment compensation and complying with the
 18 requirement to actively seek work under AS 23.20;
 19 (9) participating in an alcohol or substance abuse treatment or
 20 rehabilitation program; or
 21 (10) participating in the Alaska temporary assistance program and the
 22 department has determined that the person is in compliance with or exempt from the
 23 work activities requirement described in AS 47.27.035.

24 * **Sec. 2.** AS 47.25.975 is amended by adding a new subsection to read:

25 (d) In implementing the food stamp program under (a) of this section, the
 26 department, for any area of the state, may not request, accept, or attempt to renew or
 27 extend a waiver under 7 U.S.C. 2015(o)(4) of the work requirements or time limits
 28 applicable to an able-bodied adult without dependents.

29 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
 30 read:

31 TRANSITION. Notwithstanding AS 47.25.975(d), enacted by sec. 2 of this Act, the

1 Department of Health and Social Services may continue to implement a waiver of the able-
 2 bodied adult without dependents food stamp time limit that is in effect before the effective
 3 date of sec. 2 of this Act. The Department of Health and Social Services may not request or
 4 accept a new waiver or attempt to renew or extend a current waiver on or after the effective
 5 date of sec. 2 of this Act. The Department of Health and Social Services shall notify
 6 participants in the food stamp program of the changes implemented by sec. 2 of this Act and
 7 terminate food stamp assistance for householders who become ineligible as a result of the
 8 expiration of the waiver.

9 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
 10 read:

11 **MEDICAID STATE PLAN; WAIVER; NOTICE TO REVISOR OF STATUTES.**

12 The Department of Health and Social Services shall amend and submit for federal approval a
 13 state plan for medical assistance coverage consistent with sec. 1 of this Act. The Department
 14 of Health and Social Services shall apply to the United States Department of Health and
 15 Human Services for any waivers necessary to implement sec. 1 of this Act. The commissioner
 16 of health and social services shall certify to the revisor of statutes if the provisions of
 17 AS 47.07.020(o) and (p), enacted by sec. 1 of this Act, are approved by the United States
 18 Department of Health and Human Services.

19 * **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to
 20 read:

21 **CONDITIONAL EFFECT.** AS 47.07.020(o) and (p), enacted by sec. 1 of this Act,
 22 take effect only if the commissioner of health and social services certifies to the revisor of
 23 statutes under sec. 4 of this Act, on or before January 1, 2019, that all of the provisions added
 24 by AS 47.07.020(o) and (p), enacted by sec. 1 of this Act, have been approved by the United
 25 States Department of Health and Human Services.

26 * **Sec. 6.** If sec. 1 of this Act takes effect, it takes effect on the day after the date the
 27 commissioner of health and social services makes a certification to the revisor of statutes
 28 under secs. 4 and 5 of this Act.

29 * **Sec. 7.** Except as provided in sec. 6 of this Act, this Act takes effect January 1, 2019.