SENATE BILL NO. 22

INTRODUCED BY D. WEINBERG

BY REQUEST OF THE CHILDREN, FAMILIES, HEALTH, AND HUMAN SERVICES INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE ELIGIBILITY REQUIREMENTS FOR THE CHILDREN'S HEALTH INSURANCE PROGRAM; AMENDING SECTION 53-4-1004, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

        Section 1. Section 53-4-1004, MCA, is amended to read:

        "53-4-1004. (Temporary) Eligibility for program -- rulemaking. (1) To be considered eligible for the program, a child:

        (a) must be 18 years of age or younger;

        (b) must have a combined family income at or below ~~150%~~ 165% of the federal poverty level or at a lower level determined by the department of public health and human services as provided in subsection (4);

        (c) may not already be covered by private insurance that offers creditable coverage, as defined in 42 U.S.C. 300gg(c);

        (d) may not be eligible for medicaid benefits; and

        (e) must be a United States citizen or qualified alien and a Montana resident.

        (2) The department of public health and human services shall adopt rules that establish the program's criteria for residency. The criteria must conform as nearly as practicable with the residency requirements for medicaid eligibility.

        (3) Subject to 53-4-1009(3), rules governing eligibility may also include financial standards and criteria for income and resources, treatment of resources, and nonfinancial criteria.

        (4) If the department determines that there is insufficient funding for the program, it may lower the percentage of the federal poverty level established in subsection (1)(b) in order to reduce the number of persons who may be eligible to participate or may limit the amount, scope, or duration of specific services provided. (Terminates on occurrence of contingency--sec. 15, Ch. 571, L. 1999.)"

        NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2007.

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