

REFERENCE TITLE: AHCCCS; annual waiver submittals.

State of Arizona  
Senate  
Fifty-second Legislature  
First Regular Session  
2015

## **SB 1092**

Introduced by  
Senator Barto

AN ACT

AMENDING TITLE 36, CHAPTER 29, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-2903.09; RELATING TO THE ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 29, article 1, Arizona Revised Statutes,  
3 is amended by adding section 36-2903.09, to read:

4 36-2903.09. Waivers; annual submittal; definitions

5 A. ON OR BEFORE MARCH 30 OF EACH YEAR, THE DIRECTOR SHALL APPLY TO THE  
6 CENTERS FOR MEDICARE AND MEDICAID SERVICES FOR WAIVERS OR AMENDMENTS TO THE  
7 CURRENT SECTION 1115 WAIVER TO ALLOW THIS STATE TO:

8 1. INSTITUTE A WORK REQUIREMENT FOR ALL ABLE-BODIED ADULTS RECEIVING  
9 SERVICES PURSUANT TO THIS ARTICLE. THE WORK REQUIREMENT SHALL:

10 (a) REQUIRE AN ELIGIBLE PERSON TO EITHER:

11 (i) BECOME EMPLOYED.

12 (ii) ACTIVELY SEEK EMPLOYMENT, WHICH WOULD BE VERIFIED BY THE  
13 DEPARTMENT.

14 (iii) ATTEND A JOB TRAINING PROGRAM.

15 (b) REQUIRE AN ELIGIBLE PERSON TO VERIFY ON A MONTHLY BASIS COMPLIANCE  
16 WITH REQUIREMENTS OF SUBDIVISION (a) OF THIS PARAGRAPH AND ANY CHANGE IN  
17 FAMILY INCOME.

18 (c) REQUIRE THE ADMINISTRATION TO CONFIRM AN ELIGIBLE PERSON'S CHANGE  
19 IN FAMILY INCOME AS REPORTED UNDER SUBDIVISION (b) OF THIS PARAGRAPH AND  
20 REDETERMINE THE PERSON'S ELIGIBILITY UNDER THIS ARTICLE.

21 (d) ALLOW THE ADMINISTRATION TO BAN AN ELIGIBLE PERSON FROM ENROLLMENT  
22 FOR ONE YEAR IF THE ELIGIBLE PERSON FAILED TO REPORT A CHANGE IN FAMILY  
23 INCOME OR MADE A FALSE STATEMENT REGARDING COMPLIANCE WITH THE REQUIREMENTS  
24 OF SUBDIVISION (a) OF THIS PARAGRAPH.

25 (e) ALLOW FOR AN EXEMPTION IF A PERSON MEETS ANY OF THE FOLLOWING  
26 CONDITIONS:

27 (i) IS AT LEAST EIGHTEEN YEARS OF AGE BUT IS STILL ATTENDING HIGH  
28 SCHOOL AS A FULL-TIME STUDENT.

29 (ii) IS THE SOLE CAREGIVER OF A FAMILY MEMBER WHO IS UNDER FIVE YEARS  
30 OF AGE.

31 (iii) IS CURRENTLY RECEIVING TEMPORARY OR PERMANENT LONG-TERM  
32 DISABILITY BENEFITS FROM A PRIVATE INSURER OR FROM THE GOVERNMENT.

33 2. PLACE ON ABLE-BODIED ADULTS A LIFETIME LIMIT OF FIVE YEARS OF  
34 BENEFITS UNDER THIS ARTICLE UNLESS THE PERSON MEETS ANY OF THE FOLLOWING  
35 CONDITIONS:

36 (a) IS PREGNANT.

37 (b) IS THE SOLE CAREGIVER OF A FAMILY MEMBER WHO IS UNDER FIVE YEARS  
38 OF AGE.

39 (c) IS CURRENTLY RECEIVING TEMPORARY OR PERMANENT LONG-TERM DISABILITY  
40 BENEFITS FROM A PRIVATE INSURER OR FROM THE GOVERNMENT.

41 (d) IS AT LEAST EIGHTEEN YEARS OF AGE BUT IS STILL ATTENDING HIGH  
42 SCHOOL AS A FULL-TIME STUDENT.

43 (e) IS EMPLOYED FULL TIME BUT CONTINUES TO MEET THE INCOME ELIGIBILITY  
44 REQUIREMENTS UNDER THIS ARTICLE.

45 3. DEVELOP AND IMPOSE MEANINGFUL COPAYMENTS TO DETER BOTH:

- 1           (a) THE NONEMERGENCY USE OF EMERGENCY DEPARTMENTS.
- 2           (b) THE USE OF AMBULANCE SERVICES FOR NONEMERGENCY TRANSPORTATION OR
- 3 WHEN IT IS NOT MEDICALLY NECESSARY.
- 4           B. ON OR BEFORE APRIL 1 OF EACH YEAR, THE DIRECTOR SHALL SUBMIT A
- 5 LETTER CONFIRMING THE SUBMISSION OF THE WAIVER REQUESTS REQUIRED UNDER
- 6 SUBSECTION A OF THIS SECTION TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND
- 7 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.
- 8           C. FOR THE PURPOSES OF THIS SECTION:
- 9           1. "ABLE-BODIED" MEANS AN INDIVIDUAL WHO IS PHYSICALLY AND MENTALLY
- 10 CAPABLE OF WORKING.
- 11           2. "ADULT" MEANS AN INDIVIDUAL WHO IS AT LEAST EIGHTEEN YEARS OF AGE.