SCEG
MAY 15, 2012
EXHIBIT 7

**** Bill No. ****

Introduced By ********

By Request of the Select Committee on Efficiency in Government

A Bill for an Act entitled: "An Act generally revising laws relating to the Medicaid application and eligibility determination processes; amending sections 53-6-132 and 53-6-133, MCA."

Be it enacted by the Legislature of the State of Montana:

Section 1. Section 53-6-132, MCA, is amended to read:

"**53-6-132. Application for assistance -- exception.** (1) Subject to subsection ~~(2)~~(3), application for assistance under this part may be made in any local office of public assistance or through the use of an online application. The application must:

(a) request only the minimum information necessary to make an eligibility determination under state and federal laws; and

(b) be presented in the manner and on the form prescribed by the department.

(2) All individuals wishing to apply must have the opportunity to do so.

~~(2)~~(3) Notwithstanding the provisions of subsection (1), the department may designate an entity other than the local office of public assistance to determine eligibility for medicaid ~~managed care~~ services.

(4) The eligibility determination process must:

(a) through a data match system, use information in the possession of the state, including electronic databases, to collect and verify applicant information in place of requiring applicants to submit documentation; and

(b) use technology that includes the use of online applications, electronic databases, document imaging, and electronic signatures.

(5) The department shall comply with this section by October 1, 2013."

{Internal References to 53-6-132: None.}

Section 2. Section 53-6-133, MCA, is amended to read:

"**53-6-133. Eligibility determination.** (1) The department ~~local office of public assistance~~ shall promptly determine the eligibility of each applicant under this part in accordance with the rules of the department. Each applicant must be informed of the right to a fair hearing and of the confidential nature of the information given. The department~~, through the local office of public assistance,~~ shall, after the hearing, determine whether ~~or not~~ the applicant is eligible for assistance under this part, and aid must be furnished promptly to eligible persons. Each applicant must receive written notice of the decision concerning the applicant's application, and the right of appeal is secured to the applicant under the procedures of 53-2-606.

(2) The ~~local office of public assistance and the~~ department may accept the federal social security administration's determination of eligibility for supplemental

security income, Title XVI of the Social Security Act, as qualifying the eligible individuals to receive medical assistance under this part."

{Internal References to 53-6-133: None.}

NEW SECTION. **Section 3. Report to interim committee.** By April 1 of each even-numbered year through 2016, the department shall provide to the children, families, health, and human services interim committee an oral report on the progress of the use of online applications in the application and eligibility determination processes under this part.

- END -

{Name : Alexis Sandru
Title : Staff Attorney
Agency: Legislative Services Division
Phone : 406-444-4026
E-Mail: asandru@mt.gov}