

1 HOUSE BILL NO. 850  
2 INTRODUCED BY E. STAFMAN, A. BUCKLEY, G. FRAZER, M. YAKAWICH, K. ABBOTT, L. SMITH, S.  
3 HOWELL  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE DEPARTMENT OF PUBLIC HEALTH AND  
6 HUMAN SERVICES TO APPLY FOR AND IMPLEMENT CONTINUOUS ELIGIBILITY FOR CHILDREN  
7 UNDER 6 YEARS OF AGE IN THE HEALTHY MONTANA KIDS PLAN; ESTABLISHING LEGISLATIVE  
8 FINDINGS AND PURPOSE; REQUIRING REPORTS TO THE LEGISLATURE; PROVIDING AN  
9 APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE."

10  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
12

13 NEW SECTION. **Section 1. Continuous eligibility for young children enrolled in healthy**  
14 **Montana kids plan programs -- legislative findings and purpose -- direction to department of public**  
15 **health and human services.** (1) The legislature finds that Montana voters approved a ballot initiative in 2008  
16 to create the healthy Montana kids plan, which coordinated access to health coverage for children enrolled in  
17 the Montana medicaid program and the children's health insurance program and increased eligibility standards  
18 for those programs.

19 (2) The legislature further finds that fluctuations in family income can result in a child being  
20 disenrolled and subsequently reenrolled in the programs making up the healthy Montana kids plan multiple  
21 times before the child reaches 19 years of age.

22 (3) The legislature further finds that continuous eligibility for healthy Montana kids plan enrollees  
23 under 6 years of age:

24 (a) will provide consistent, predictable access to health care services at a time of critical early  
25 childhood development;

26 (b) will improve health outcomes by providing children with ongoing preventive care and by  
27 preventing gaps in care that can occur when a family loses coverage and cannot afford necessary health care  
28 services, including medications;

# Amendment - 1st Reading-white - (H) Human Services

- 2023

68th Legislature 2023

Drafter: Sue O'Connell, 406-444-3597

HB0850.001.001

1 (c) may reduce the costs of health care services by allowing children to receive the right level of  
2 care at the right time in the right setting and by lessening the chances that they will need emergency care or  
3 treatment for conditions that have worsened because of a lack of care; and

4 (d) may improve a child's readiness for school because regular, preventive care may identify  
5 physical, behavioral, and developmental concerns that can be addressed before the conditions affect school  
6 performance.

7 (4) The legislature further finds that providing continuous eligibility until the child reaches 6 years of  
8 age will reduce administrative costs for the department of public health and human services by reducing the  
9 need to redetermine a child's eligibility for renewed or continued coverage under the healthy Montana kids plan.

10 (5) It is the purpose of the legislature to allow children enrolled in ~~both the medicaid-funded and~~  
11 ~~children's health insurance program-funded portions~~ portion of the healthy Montana kids plan to remain enrolled  
12 in ~~those programs~~ the program until 6 years of age even if a change in family circumstances occurs that would  
13 otherwise make the children ineligible for the programs.

14 (6) It is the purpose of the legislature to allow children in the children's health insurance program-  
15 funded portion of the healthy Montana kids plan to:

16 (a) remain in that program until 6 years of age even if a change in family circumstances occurs that  
17 would otherwise make the children ineligible for the program if, at the time of initial enrollment, family income  
18 was at or below 200% of the federal poverty guidelines; and

19 (b) require annual eligibility determinations for children with family incomes above 200% of the  
20 federal poverty guidelines.

21 (7) The department of public health and human services:

22 (a) shall notify families with incomes above 200% of the federal poverty guidelines of the need to  
23 reapply for the healthy Montana kids plan; and

24 (b) may conduct audits to ensure compliance with this section.

25 ~~(6)~~(8) The legislature directs the department of public health and human services to apply to the  
26 centers for medicare and medicaid services for the necessary waivers to allow for continuous eligibility as  
27 provided in this section for children enrolled in the programs making up the healthy Montana kids plan through  
28 the end of the month in which a child attains 6 years of age. Among other things, the department's research and

**Amendment - 1st Reading-white - (H) Human Services**

- 2023

68th Legislature 2023

Drafter: Sue O'Connell, 406-444-3597

HB0850.001.001

1 demonstration waiver applications must include but are not limited to testing of the following hypotheses:

2 (a) whether ongoing enrollment will:

3 (i) reduce the percentage of children under 6 years of age who are disenrolled and reenrolled in

4 the programs making up the healthy Montana kids plan;

5 (ii) increase the number of enrollees participating in well-baby and well-child visits, including

6 developmental assessments to the extent those assessments can be quantified; and

7 (iii) reduce the average monthly cost of services provided to enrollees under 6 years of age; and

8 (b) whether continuous eligibility will reduce administrative costs for the department.

9 ~~(7)~~(9) The department shall:

10 (a) notify the appropriate interim or standing committees of the legislature of the centers for  
11 medicare and medicaid services' decisions on the waivers within 30 days of the date the decisions are made;

12 and

13 (b) if a waiver request is approved, implement continuous eligibility for children covered by the  
14 waiver decision no later than January 1, 2024.

15

16 **NEW SECTION. Section 2. Appropriation.** (1) The following amounts are appropriated to the  
17 department of public health and human services to implement continuous eligibility for children under 6 years of  
18 age in the healthy Montana kids plan as provided in [section 1]:

	Fiscal Year 2024	Fiscal Year 2025
20 General Fund	\$2,968,466	\$5,839,166
21 Federal Special Revenue	\$7,463,514	\$14,536,878

22 (2) The legislature intends that the appropriations in this section for fiscal year 2025 be considered  
23 part of the ongoing base for the next legislative session.

24

25 **NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 2023.

26 - END -