

HOUSE BILL NO. 267

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health and Human Services

on _____)

(Patron Prior to Substitute—Delegate Tata)

A BILL to direct the Department of Medical Assistance Services to seek the necessary federal approvals to adjust the Medicaid Works earned income disregard based upon the Social Security Administration's cost-of-living adjustment.

Be it enacted by the General Assembly of Virginia:

10 **1. § 1. The Department of Medical Assistance Services (the Department) shall seek the necessary federal**
11 *approvals to adjust the Medicaid Works earned income disregard based upon the Social Security*
12 *Administration's cost-of-living adjustment. The Department may submit state plan amendments, apply for*
13 *waivers, and adopt or amend regulations as may be necessary to implement the provisions of this act and*
14 *secure the necessary approvals from the Centers for Medicare and Medicaid Services. The adjustment to the*
15 *Medicaid Works earned income disregard shall be effective upon federal approval or consistent with the*
16 *effective date of an approved state plan amendment or waiver application, whichever comes later. The*
17 *initial adoption and amendment of regulations, if necessary, to implement the provisions of this act shall be*
18 *exempt from the provisions of the Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).*