

2026 SESSION

HOUSE SUBSTITUTE

26106655D

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).

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