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HOUSE BILL NO. 267**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Health and Human Services
on February 5, 2026)

(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:

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

HOUSE SUBSTITUTE

HB267H1