

House Bill 38

By: Representatives Beverly of the 143rd, Mitchell of the 88th, Park of the 107th, Scott of the 76th, Bennett of the 94th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated,
2 relating to medical assistance generally, so as authorize the Department of Community
3 Health to utilize appropriations for the purposes of obtaining federal financial participation
4 for medical assistance payments to providers and for funding Medicaid expansion; to direct
5 the department to use such funding and any available federal medical assistance payments
6 to increase the income threshold for Medicaid eligibility up to a maximum of 138 percent of
7 the federal poverty level; to provide for related matters; to provide for an effective date; to
8 repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to
12 medical assistance generally, is amended by adding a new Code section to read as follows:

13 "49-4-142.6.

14 (a) Notwithstanding Code Section 49-4-142.2, the Department of Community Health is
15 authorized to utilize appropriations for the purposes of obtaining federal financial
16 participation for medical assistance payments to providers on behalf of Medicaid recipients

H. B. 38

17 and for funding the state's portion of the cost to expand the Medicaid program under the
18 federal Patient Protection and Affordable Care Act (P.L. 111-148), as amended by the
19 federal Health Care and Education Reconciliation Act of 2010 (P.L. 111-152) and the
20 American Rescue Plan of 2021 (P.L. 117-2), and any regulations or guidelines issued under
21 such acts.

22 (b) Such funding and any available federal medical assistance payments shall be used to
23 increase the income threshold for Medicaid eligibility up to a maximum of 138 percent of
24 the federal poverty level."

25 **SECTION 2.**

26 This Act shall become effective upon its approval by the Governor or upon its becoming law
27 without such approval.

28 **SECTION 3.**

29 All laws and parts of laws in conflict with this Act are repealed.