

HOUSE No. 02164

Senate, March 8, 2012 – New draft of Senate, No. 40 reported from the committee on Children, Families and Person with Disabilities.

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act regarding continuity of care for children and their eligible parents.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: The Executive Office of Health and Human Services shall pursue all
2 reasonable efforts to automatically renew eligible children and families into the MassHealth
3 program, through the adoption of the express-lane eligibility option created under Section 203 of
4 the federal Children’s Health Insurance Program Reauthorization Act of 2009 (PL 111-3), as it
5 pertains to renewals, and through the extension of that approach to all children and their eligible
6 parents enrolled in medical assistance under Chapter 118E. Specifically, the Executive Office
7 shall seek federal authority under the 1115 Demonstration process, so-called, and/ or the State
8 Plan, so-called, to automatically re-enroll all children and their eligible parents who are eligible
9 for other state or federal assistance programs whose eligibility requirements are within the
10 requirements for the applicable MassHealth program, pursuant to the investigation conducted
11 pursuant to section 2.

12 SECTION 2: The Executive Office of Health and Human Services shall conduct an
13 investigation of all federal and state assistance programs to determine which have eligibility
14 requirements within the requirements of MassHealth and which could feasibly share data with
15 the MassHealth program for purposes of automatically re-enrolling eligible children and their
16 eligible parents in MassHealth. The Executive Office shall submit a report on the results of that
17 investigation to the House and Senate Committees on Ways and Means, the Joint Committee on
18 Health Care Financing, the Joint Committee on Children and Families and Persons with
19 Disabilities and the House and Senate clerks no later than 8 months after the effective date of this
20 act. The report shall include the Office's plans for complying with section 1 of this act for any
21 programs found to have eligibility requirements that are roughly equal or less restrictive than
22 those for MassHealth, or reasons why data sharing is not feasible with those programs and a
23 detailed description of the barriers to such data sharing.

24 SECTION 3: The Executive Office of Health and Human Services shall provide families
25 with renewal forms for all programs administered under Chapter 118E in which the fields have
26 been pre-populated with the most current information known to the Office. The Executive Office
27 of Health and Human Services shall also permit the submission of an electronic signature with an
28 original or renewal application filled out on-line thru the use of the Virtual Gateway, so-called,
29 or other electronic means. This section shall be effective 8 months after the passage of this act.

30 SECTION 4: The Executive Office of Health and Human Services shall implement a
31 program to permit renewal for children and their eligible parents in the MassHealth program at
32 any health care provider that uses the internet-based application tool the Virtual Gateway or its
33 successor, up to six months in advance of their renewal date. Such program shall allow families
34 to reapply for any MassHealth program administered under Chapter 118E of the General Laws

35 and shall provide another 12 months of eligibility from the date of that application for any family
36 eligible at that time. Failure to qualify at that time shall not be cause for termination until his or
37 her original termination/renewal date. Implementation shall include seeking the federal authority
38 necessary to carry out the requirements of this section. This section shall be effective 12 months
39 within the passage of this act.”