

SENATE BILL NO. 7

INTRODUCED BY CAFERRO, BUTTREY, KEANE, SONJU, BLASDEL, EHLI, HOLLENBAUGH, NOONAN,
REICHNER, WILLIAMS

BY REQUEST OF THE SELECT COMMITTEE ON EFFICIENCY IN GOVERNMENT

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATING TO THE MEDICAID APPLICATION AND ELIGIBILITY DETERMINATION PROCESSES; AUTHORIZING THE USE OF ONLINE APPLICATIONS FOR ASSISTANCE; REVISING APPLICATION INFORMATION REQUIREMENTS; CLARIFYING CERTAIN REQUIREMENTS OF THE MEDICAID ELIGIBILITY DETERMINATION PROCESS; REQUIRING REPORTS; AND AMENDING SECTIONS 53-6-132 AND 53-6-133, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 53-6-132, MCA, is amended to read:

"53-6-132. Application for assistance -- exception. (1) Subject to subsection ~~(2)~~ (3), application for assistance under this part may be made in any local office of public assistance or through the use of an online application. The application must:

(a) request only the minimum information necessary to make an eligibility determination under state and federal laws; and

(b) be presented in the manner and on the form prescribed by the department.

(2) All individuals wishing to apply must have the opportunity to do so.

~~(2)(3)~~ (3) Notwithstanding the provisions of subsection (1) AND TO THE EXTENT PERMITTED BY FEDERAL LAW, the department may designate an entity other than the local office of public assistance to determine eligibility for medicaid ~~managed care~~ services.

(4) ~~The~~ TO THE EXTENT PERMITTED BY FEDERAL LAW, THE eligibility determination process must:

(a) through a data match system, use information THAT THE OWNER OF THE INFORMATION AGREES TO PROVIDE AND THAT IS legally accessible by the state, including electronic databases, to collect and verify applicant information in place of requiring applicants to submit documentation;

(b) use technology that includes the use of online applications, electronic databases, document imaging, and other electronic content management tools; and



1 (c) authorize electronic signatures in accordance with state standards pursuant to Title 30, chapter 18."

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3 **Section 2.** Section 53-6-133, MCA, is amended to read:

4 **"53-6-133. Eligibility determination.** (1) The ~~department local office of public assistance~~ shall promptly
5 determine the eligibility of each applicant under this part in accordance with the rules of the department. Each
6 applicant must be informed of the right to a fair hearing and of the confidential nature of the information given.
7 The department, ~~through the local office of public assistance,~~ shall, after the hearing, determine whether ~~or not~~
8 the applicant is eligible for assistance under this part, and aid must be furnished promptly to eligible persons.
9 Each applicant must receive written or electronic notice of the decision concerning the applicant's application,
10 and the right of appeal is secured to the applicant under the procedures of 53-2-606.

11 (2) The ~~local office of public assistance and the~~ department may accept the federal social security
12 administration's determination of eligibility for supplemental security income, Title XVI of the Social Security Act,
13 as qualifying the eligible individuals to receive medical assistance under this part."

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15 NEW SECTION. **Section 3. Report to interim committee.** By April 1 of each even-numbered year
16 through 2016, the department of public health and human services shall provide to the children, families, health,
17 and human services interim committee an oral report on the progress of the use of online applications in the
18 application and eligibility determination processes under Title 53, chapter 6, part 1.

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