

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

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HOUSE BILL 1764

Short Title: SS Survivors Benefits/Medicaid Eligibility. (Public)

Sponsors: Representatives Gibson; Faison, E. Floyd, Harrison, Hughes, Jackson, and
Pierce.

Referred to: Health, if favorable, Appropriations.

May 18, 2010

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO
ADOPT A POLICY ALLOWING A CERTAIN INCOME DISREGARD UNDER THE
MEDICAID PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. The Department of Health and Human Services, Division of Medical Assistance, shall apply for approval from the Centers for Medicare and Medicaid Services (CMS) to adopt and implement a policy that will prevent a Medicaid recipient from losing Medicaid eligibility solely on the basis that the recipient's income has increased due to receipt of Social Security survivors benefits following the death of the recipient's parent. Nothing in this section shall be construed to expand Medicaid eligibility requirements. If the Department obtains approval from CMS on or before April 1, 2011, the Department shall implement this policy prior to June 30, 2011.

SECTION 2. This act becomes effective July 1, 2010.

