

Legal experts cite concern about Mo. Medicaid bill

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JEFFERSON CITY, Mo. (AP) - Legal experts raised concern Monday about Missouri legislation that would require many adult Medicaid recipients to work in order to receive health care coverage.

The work requirement is part of a broader proposal that would remodel Missouri's Medicaid program to be more like private-sector insurance and expand coverage for hundreds of thousands of lower-income adults. But that expansion would take effect only if the federal government approves the work requirement and various other provisions.

Saint Louis University law professor Sidney Watson and Joel Ferber, of Legal Services for Eastern Missouri, both testified Monday that the work requirement doesn't appear to be authorized under federal Medicaid laws. Even if it was "remotely possible" to argue that it's legal, the U.S. Department of Health and Human Services is unlikely to approve the work requirement, Ferber said.

"I hate to see a poison pill that stops all of this from going forward," Ferber told members of a House committee. The legislation by Rep. Noel Torpey, R-Independence, also would require Medicaid participants to pay a premium of at least 1 percent of their income.

Ferber and Watson said that also was legally questionable.


Watson said the closest thing to Missouri's proposed premiums occurred in Iowa, which received federal approval to charge \$5 or \$10 monthly fees to some Medicaid participants. But those fees are waived for the first year people are enrolled and continue be waived as long as they meet certain healthy behaviors. Even if they don't, people cannot be dropped from Iowa's Medicaid program, Watson said.


Several advocates for low-income Missourians urged lawmakers not to adopt the work and premium requirements. "These two requirements, which may sound very reasonable to members of the committee, ... actually impose unnecessary and really harmful barriers to care for people who are living in poverty," said Jen Bersdale, executive director of Missouri Health Care for All.

The House Government Oversight and Accountability Committee took no action on the legislation Monday. But committee Chairman Jay Barnes defended the work requirement and patient cost-sharing provisions as key elements of the bill.

"I think it's reasonable to expect people on Medicaid, if they are able to work, to actually get out there and work," said Barnes, R-Jefferson City. "This shouldn't be a free handout for people."

Barnes said the legislation's proposed work requirement would be defined broadly enough to also account for those in school or seeking work. It would not apply to seniors, children, the disabled or medically frail.

The committee plans to resume hearings later this month on other parts of the legislation, including the proposed eligibility expansion for low-income adults that could allow Missouri to draw down billions of additional federal **dollars**  under the terms of President Barack Obama's health care law.

Also on tap for consideration later this month is a provision in the bill that would expand managed-care policies statewide for adults and children. Medicaid currently is provided through managed care in about half of Missouri's counties, with medical providers in the rest of the state paid a set **fee**  for each service they provide.

Medicaid bill is HB1901.

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