

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

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**SENATE BILL 1796**

Short Title: Keep Medicaid Eligibility/COLA Increase. (Public)

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Sponsors: Senators Dalton; Allran and Jones.

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Referred to: Appropriations/Base Budget.

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May 21, 2008

1                                   A BILL TO BE ENTITLED  
2 AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN  
3 SERVICES TO ADOPT A POLICY ALLOWING A CERTAIN INCOME  
4 DISREGARD UNDER THE MEDICAID PROGRAM.

5 The General Assembly of North Carolina enacts:

6           **SECTION 1.** The Department of Health and Human Services, Division of  
7 Medical Assistance, shall adopt and implement a policy that will prevent a Medicaid  
8 recipient from losing Medicaid eligibility when the annual Social Security and Railroad  
9 Retirement Cost of Living Adjustments (COLAs) and the annual Federal Poverty Level  
10 adjustment cause a Medicaid recipient to become income-ineligible for Medicaid. The  
11 policy shall apply only in cases where Medicaid income eligibility is affected only by  
12 Social Security and Railroad Retirement COLAs and Federal Poverty Level adjustments  
13 and shall not render a Medicaid recipient eligible if all other eligibility requirements are  
14 not met. If approval from the Centers for Medicare and Medicaid Services (CMS) is  
15 required for this policy to be implemented, the Department shall apply to CMS for  
16 approval.

17           **SECTION 2.** This act becomes effective July 1, 2008.