

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

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HOUSE DRH90003-MG-90 (03/08)

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

Sponsors: Representative Gibson.

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES TO  
3 ADOPT A POLICY ALLOWING A CERTAIN INCOME DISREGARD UNDER THE  
4 MEDICAID PROGRAM.  
5 The General Assembly of North Carolina enacts:  
6 **SECTION 1.** The Department of Health and Human Services, Division of Medical  
7 Assistance, shall apply for approval from the Centers for Medicare and Medicaid Services  
8 (CMS) to adopt and implement a policy that will prevent a Medicaid recipient from losing  
9 Medicaid eligibility solely on the basis that the recipient's income has increased due to receipt  
10 of Social Security survivors benefits following the death of the recipient's parent. Nothing in  
11 this section shall be construed to expand Medicaid eligibility requirements. If the Department  
12 obtains approval from CMS on or before April 1, 2011, the Department shall implement this  
13 policy prior to June 30, 2011.  
14 **SECTION 2.** This act becomes effective July 1, 2010.

