

2023 -- H 5995

LC002182

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO HUMAN SERVICES -- MEDICAL ASSISTANCE

Introduced By: Representatives Felix, Morales, Bennett, and Cruz

Date Introduced: March 01, 2023

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 40-8 of the General Laws entitled "Medical Assistance" is hereby  
2 amended by adding thereto the following section:

3 **40-8-33. Katie Beckett program special conditions.**

4 (a)(1) Children under nineteen (19) years of age who are determined to be eligible for the  
5 Katie Beckett provision, pursuant to §1902(e) of the Social Security Act, 42 U.S.C. 1396a(e), as  
6 amended by §134 of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), Pub. L. 97-  
7 248, and 210-RICR-50-10-03, shall be reassessed for clinical eligibility on an annual basis, unless  
8 a licensed physician has determined that the child's clinical and/or functional limitations are  
9 unlikely to change. When such a determination has been made, the office of health and human  
10 services shall waive the annual clinical evaluation.

11 (2) Notwithstanding the provisions of subsection (a)(1) of this section, Katie Beckett  
12 participants shall be subject to all other eligibility requirements, pursuant to §1902(e) of the Social  
13 Security Act, 42 U.S.C. 1396a(e), as amended by §134 of the Tax Equity and Fiscal Responsibility  
14 Act of 1982 (TEFRA), Pub. L. 97-248, and 210-RICR-50-10-03.

15 (b) A Katie Beckett participant, or his or her guardian, may request additional service hours  
16 in any week, capped at an increase of ten percent (10%) in any week, as long as the cost of the total  
17 service hours, inclusive of the increase, does not exceed the estimated cost of care in an institution.

18 (c) For the purposes of this section, the office of health and human services is authorized  
19 to apply for and obtain any necessary waiver(s), waiver amendment(s), and/or state plan

1 [amendments from the Secretary of the United States Department of Health and Human Services,](#)  
2 [as appropriate.](#)

3 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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1           This act would establish the Katie Beckett program pursuant to federal guidelines. Katie  
2 Beckett is an eligibility category in Medicaid that allows children who have long-term disabilities  
3 or complex medical needs to become eligible for Medicaid coverage. Katie Beckett program  
4 eligibility enables children to be cared for at home instead of an institution.

5           This act would take effect upon passage.

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