



Ohio Legislative Service Commission

Bill Analysis

Matthew Magner

S.B. 17

131st General Assembly
(As Introduced)

Sens. Cafaro, Brown, Gentile, Sawyer, Schiavoni, Skindell, Tavares, Thomas, Williams, Yuko

BILL SUMMARY

- Requires Ohio's Medicaid program to cover individuals included in the federal Affordable Care Act's Medicaid expansion group.
- Makes an appropriation.

CONTENT AND OPERATION

Medicaid coverage for the expansion group

The bill requires Ohio's Medicaid program to cover the expansion group (also referred to as Group 8) included in the federal Affordable Care Act.¹ The expansion group includes individuals who have incomes not exceeding 133% of the federal poverty line (or not exceeding 138%, as determined by using modified adjusted gross income in accordance with federal law). In addition to meeting income requirements, the individuals must be all of the following:

- (1) Under age 65;
- (2) Not pregnant;

¹ R.C. 5163.04. "Affordable Care Act" is the name commonly used for the Patient Protection and Affordable Care Act (Public Law 111-148), as subsequently amended by the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152).

(3) Not entitled to, or enrolled for, benefits under Medicare Part A, which generally covers hospital care and certain other inpatient and home health services;²

(4) Not enrolled for benefits under Medicare Part B, which generally covers physician services and other outpatient care;³

(5) Not otherwise eligible for Medicaid.⁴

As originally provided in the Affordable Care Act, Medicaid coverage of the expansion group was mandatory. However, the practical effect of the U.S. Supreme Court's decision in *NFIB v. Sebelius* was to render Medicaid coverage of this group optional for each state.⁵ In October 2013, the Ohio Department of Medicaid implemented Medicaid expansion administratively by obtaining federal approval of a state Medicaid plan amendment and Controlling Board approval to spend federal funds to pay for the expansion. The Ohio Supreme Court later ruled that the administrative expansion did not violate Ohio law.⁶

HISTORY

| ACTION | DATE |
|------------|----------|
| Introduced | 02-02-15 |

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² Medicare.gov. *What Part A covers* (last visited February 10, 2015), available at <<http://www.medicare.gov/what-medicare-covers/part-a/what-part-a-covers.html>>.

³ Medicare.gov. *What Part B covers* (last visited February 10, 2015), available at <<http://www.medicare.gov/what-medicare-covers/part-b/what-medicare-part-b-covers.html>>.

⁴ 42 United States Code 1396a(a)(10)(A)(i)(VIII) and (e)(14).

⁵ 132 S.Ct. 2566 (2012).

⁶ *State ex rel. Cleveland Right to Life v. State of Ohio Controlling Board*, 138 Ohio St.3d 57 (2013).

