

**205.5371 Demonstrated community engagement -- Definitions for section.**

- (1) (a) The cabinet shall, no later than January 1, 2027, for applicable individuals as defined in 42 U.S.C. sec. 1396a(xx)(9), condition eligibility for enrollment or continued enrollment in the Medicaid program on demonstrated community engagement as defined in and required under 42 U.S.C. sec. 1396a(xx).
  - (b) In the case of an applicable individual who is applying for enrollment in the Medicaid program, in order to be eligible for enrollment the individual shall be required to demonstrate community engagement for the month immediately preceding the month during which the individual applies for enrollment.
  - (c) In the case of an applicable individual who is enrolled and receiving Medicaid benefits, in order to remain eligible for continued enrollment, at the time of eligibility redetermination, the individual shall be required to demonstrate community engagement for three (3) months during the period of time since the individual's most recent eligibility determination or redetermination.
- (2) Notwithstanding any provision of state law to the contrary, the cabinet shall not request an exemption, waiver, or any other delay, including but not limited to a good-faith-effort exemption, in implementing the requirements of 42 U.S.C. sec. 1396a(xx) or subsection (1) of this section that may be available to the state under 42 U.S.C. sec. 1396a(xx)(11) unless specifically authorized by the General Assembly to do so.
  - (3) The cabinet shall begin, no later than September 1, 2026, providing notice to all applicable individuals, as defined in 42 U.S.C. sec. 1396a(xx)(9), of the requirement to demonstrate community engagement as established under 42 U.S.C. sec. 1396a(xx) and subsection (1) of this section. Notice provided under this subsection shall comply with the requirements of 42 U.S.C. sec. 1396a(xx)(8).
  - (4) If at any time on or after April 14, 2026, the federal community engagement requirements established in 42 U.S.C. sec. 1396a(xx) are abolished, repealed, or otherwise diminished, the cabinet shall:
    - (a) Immediately prepare and submit a waiver application to the federal Centers for Medicare and Medicaid Services seeking authorization to condition the eligibility of applicable individuals, as defined in subsection (5) of this section, to enroll or continue to be enrolled in the Medicaid program on demonstrated community engagement, as defined in subsection (5) of this section; and
    - (b) For applicable individuals, as defined in subsection (5) of this section, and in accordance with subsection (1)(b) and (c) of this section, condition eligibility for enrollment or continued enrollment in the Medicaid program on demonstrated community engagement, as defined in subsection (5) of this section, if authorized to do so by the federal Centers for Medicare and Medicaid Services.
  - (5) As used in subsection (4) of this section:
    - (a) "Applicable individual" means an individual who is:
      1. At least nineteen (19) years of age but less than sixty-five (65) years of

- age;
2. Eligible for enrollment or currently enrolled in the Medicaid program under 42 U.S.C. sec. 1396a(a)(10)(A)(i)(VIII) or a waiver that provides coverage that is equivalent to minimum essential coverage as described in Section 5000A(f)(1)(A) of the Internal Revenue Code of 1986; and
  3. Not:
    - a. Currently, or was not previously, placed in the foster care system if the individual is under twenty-six (26) years of age;
    - b. Eligible for coverage under the Indian Health Service;
    - c. A parent, guardian, caretaker relative, or family caregiver, as defined in the RAISE Family Caregivers Act, Pub. L. No. 115-119, of a dependent child thirteen (13) years of age or under or a disabled individual;
    - d. A disabled veteran with a disability rated as total under 38 U.S.C. sec. 1155;
    - e. Medically frail or otherwise has special medical needs, including an individual:
      - i. Who is blind or disabled;
      - ii. With a substance use disorder;
      - iii. With a disabling mental condition;
      - iv. With a physical, intellectual, or developmental disability that significantly impairs his or her ability to perform one (1) or more activities of daily living; or
      - v. With a serious or complex medical condition;
    - f. An individual subject to work or community engagement requirements imposed under the Supplemental Nutrition Assistance Program or Temporary Assistance for Needy Families, if the individual is in compliance with such requirements;
    - g. An individual participating in a drug addiction or alcohol addiction recovery program recognized by the secretary through the promulgation of administrative regulations in accordance with KRS Chapter 13A;
    - h. An inmate at a public institution;
    - i. Pregnant or eligible for coverage under KRS 205.592; or
    - j. An individual experiencing a short-term hardship as defined by the secretary through the promulgation of administrative regulations in accordance with KRS Chapter 13A; and
- (b) "Demonstrated community engagement" means satisfying one (1) or more of the following conditions on a monthly basis:
1. Working, as defined in 7 C.F.R. sec. 273.24, not less than eighty (80) hours;
  2. Completing not less than eighty (80) hours of community service;

3. Participating in a work program, as defined in 7 C.F.R. sec. 273.24, for not less than eighty (80) hours;
4. Participating at least half-time in an education program recognized by the secretary through the promulgation of administrative regulations in accordance with KRS Chapter 13A;
5. Engaging in any combination of activities described in subparagraphs 1., 2., 3., and 4. of this paragraph for a total of not less than eighty (80) hours;
6. Having a verifiable monthly income that is not less than applicable state minimum wage established in KRS 337.275 multiplied by eighty (80) hours; or
7. Having a verifiable average monthly income over the previous six (6) months that is not less than applicable state minimum wage established in KRS 337.275 multiplied by eighty (80) hours if the individual is a seasonal worker as described in Section 45R(d)(5)(B) of the Internal Revenue Code of 1986.

**Effective:** April 14, 2026

**History:** Amended 2026 Ky. Acts ch. 179, sec. 1, effective April 14, 2026. -- Amended 2025 Ky. Acts ch. 110, sec. 4, effective March 27, 2025. -- Created 2022 Ky. Acts ch. 211, sec. 5, effective July 14, 2022.

**Legislative Research Commission Note (7/14/2022).** 2022 Ky. Acts ch. 236 merged the Education and Workforce Development Cabinet and the Labor Cabinet into the newly created Education and Labor Cabinet. Under the authority of KRS 7.136(2), a reference to the Education and Workforce Development Cabinet in this statute has been changed to the Education and Labor Cabinet in codification to conform.