

1 AN ACT relating to public benefits.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 205 IS CREATED TO  
4 READ AS FOLLOWS:

5 *(1) The cabinet shall not increase the Supplemental Nutrition Assistance Program*  
6 *eligibility standards for:*

7 *(a) Gross income established in 7 U.S.C. sec. 2014(c); and*

8 *(b) Financial resources established in 7 U.S.C. sec. 2014(g);*

9 *unless expressly required by federal law.*

10 *(2) The cabinet shall not:*

11 *(a) Grant to any individual enrolled as a recipient in the Supplemental*  
12 *Nutrition Assistance Program any noncash, in-kind, or other benefits*  
13 *unless expressly required by federal law;*

14 *(b) Exempt any individual from meeting the gross income and financial*  
15 *resources eligibility standards established in 7 U.S.C. sec. 2014 for any*  
16 *noncash, in-kind, or other benefit unless expressly required by federal law;*  
17 *and*

18 *(c) Seek, apply for, accept, or renew any waiver of work requirements for able-*  
19 *bodied adults without dependents under 7 U.S.C. sec. 2015(o)(4) without*  
20 *first obtaining specific authorization from the General Assembly.*

21 *(3) As used in this section, "able-bodied adult without dependents" has the same*  
22 *meaning as in KRS 205.5371.*

23 *(4) The cabinet shall promulgate administrative regulations in accordance with KRS*  
24 *Chapter 13A as necessary to implement this section.*

25 ➔Section 2. KRS 205.178 is amended to read as follows:

26 (1) At a regularly scheduled interval, each enrollment or benefit tracking agency  
27 associated with the Medicaid program or the Supplemental Nutrition Assistance

1 Program of the cabinet shall receive and review information from the Kentucky  
2 Lottery Corporation concerning individuals enrolled as recipients in the Medicaid  
3 program or the Supplemental Nutrition Assistance Program that indicates a change  
4 in circumstances that may affect eligibility, including but not limited to changes in  
5 income or resources.

6 (2) On at least a monthly basis, each enrollment or benefit tracking agency associated  
7 with the Medicaid program or the Supplemental Nutrition Assistance Program of  
8 the cabinet shall receive and review information from the Vital Statistics Branch  
9 concerning individuals enrolled in the Medicaid program or the Supplemental  
10 Nutrition Assistance Program that indicates a change in circumstances that may  
11 affect eligibility.

12 (3) On at least a quarterly basis, each enrollment or benefit tracking agency associated  
13 with the Medicaid program or the Supplemental Nutrition Assistance Program of  
14 the cabinet shall receive and review information from the Kentucky Office of  
15 Unemployment Insurance concerning individuals enrolled in the Medicaid program  
16 or the Supplemental Nutrition Assistance Program that indicates a change in  
17 circumstances that may affect eligibility, including but not limited to changes in  
18 employment or wages.

19 (4) On at least a quarterly basis, each enrollment or benefit tracking agency associated  
20 with the Medicaid program or the Supplemental Nutrition Assistance Program of  
21 the cabinet shall receive and review information concerning individuals enrolled in  
22 the Medicaid program or the Supplemental Nutrition Assistance Program that  
23 indicates a change in circumstances that may affect eligibility, including but not  
24 limited to potential changes in residency as identified by out-of-state electronic  
25 benefit transfer transactions.

26 (5) Notwithstanding any other provision of law to the contrary:

27 (a) Each enrollment or benefit tracking agency associated with the Medicaid

- 1 program or the Supplemental Nutrition Assistance Program of the cabinet  
2 shall enter into a memorandum of understanding with any department,  
3 agency, or division for information detailed in this section; and
- 4 (b) Any department, agency, or division for information detailed in this section,  
5 including but not limited to the Kentucky Lottery Corporation, the Vital  
6 Statistics Branch, the Office of Unemployment Insurance, and the Department  
7 for Community Based Services, shall enter into any necessary memoranda of  
8 understanding with the enrollment or benefit tracking agency associated with  
9 the Medicaid program or the Supplemental Nutrition Assistance Program  
10 requesting an agreement pursuant to paragraph (a) of this subsection.
- 11 (6) Each enrollment or benefit tracking agency associated with the Medicaid program  
12 or the Supplemental Nutrition Assistance Program of the cabinet may contract in  
13 accordance with KRS Chapter 45A with one (1) or more independent vendors to  
14 provide additional data or information that may indicate a change in circumstances  
15 that may affect eligibility.
- 16 (7) Each enrollment or benefit tracking agency associated with the Medicaid program  
17 or the Supplemental Nutrition Assistance Program of the cabinet shall explore  
18 joining any multistate cooperative to identify individuals who are also enrolled in  
19 public assistance programs outside of this state.
- 20 (8) If an enrollment or benefit tracking agency associated with the Medicaid program  
21 or the Supplemental Nutrition Assistance Program of the cabinet receives  
22 information concerning an individual enrolled in the Medicaid program or the  
23 Supplemental Nutrition Assistance Program that indicates a change in  
24 circumstances that may affect eligibility, the enrollment or benefit tracking agency  
25 or other appropriate agency shall review the individual's case.
- 26 (9) (a) Unless expressly required by federal law~~[or as permitted by this subsection]~~,  
27 the cabinet shall not seek, apply for, accept, or renew any waiver of work

1 requirements established by the Supplemental Nutrition Assistance Program  
2 under 7 U.S.C. sec. 2015(o) without first obtaining specific authorization from  
3 the General Assembly to do so. ~~The cabinet may, without first obtaining  
4 specific authorization from the General Assembly, request:~~

5 ~~1. A waiver of Supplemental Nutrition Assistance Program work  
6 requirements for a county in which the unemployment rate is equal to or  
7 greater than ten percent (10%);~~

8 ~~2. A waiver of Supplemental Nutrition Assistance Program work  
9 requirements in a county in which the cabinet determines that other  
10 economic conditions are severe enough to necessitate a waiver; or~~

11 ~~3. A statewide waiver of Supplemental Nutrition Assistance Program work  
12 requirements if the state's unemployment rate is equal to or greater than  
13 ten percent (10%).]~~

14 (b) The cabinet shall not exercise the state's option under 7 U.S.C. sec.  
15 2015(o)(6).

16 (c) The cabinet may assign individuals who are subject to work requirements  
17 under 7 U.S.C. sec. 2015(d)(1) to an employment and training program as  
18 defined in 7 U.S.C. sec. 2015(d)(4).

19 (10) The cabinet shall, in accordance with KRS Chapter 13A, promulgate all rules and  
20 administrative regulations necessary for the purposes of carrying out this section.

21 (11) Upon request from the Legislative Research Commission, the Cabinet for Health  
22 and Family Services shall submit a report relating to the number of individuals  
23 discovered utilizing services inappropriately, the number of individuals who were  
24 removed from one (1) or more public assistance programs as a result of a review  
25 pursuant to this section, and the amount of public funds preserved in total and by  
26 public assistance program and aggregated by prior years.