

By: Senator(s) Pickering, Flowers, Hewes,
Doxey, White, Michel, Davis, Brown, Morgan,
Ross, Jackson (15th)

To: Public Health and
Welfare; Appropriations

SENATE BILL NO. 2777

1 AN ACT TO AMEND SECTIONS 41-86-3 AND 41-86-5, MISSISSIPPI
2 CODE OF 1972, TO REVISE THE ELIGIBILITY FOR BENEFITS UNDER THE
3 MISSISSIPPI CHILDREN'S HEALTH CARE ACT (CHIP); AND FOR RELATED
4 PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 41-86-3, Mississippi Code of 1972, is
7 amended as follows:

8 41-86-3. (1) There is established a statewide Children's
9 Health Insurance Program under Title XXI of the Social Security
10 Act to provide child health care assistance to targeted,
11 uninsured, low-income children to be administered by the Division
12 of Medicaid in the Office of the Governor. The term "targeted,
13 low-income child" means a child through age eighteen (18) who has
14 been determined eligible for child health assistance and who is a
15 low-income child, or is a child whose family income exceeds the
16 Medicaid applicable income level, but does not exceed one hundred
17 thirty-five percent (135%) of the federal poverty level, and is
18 not eligible for medical assistance under Title XIX or is not
19 covered under a group health plan.

20 (2) The Children's Health Insurance Program shall provide
21 the same benefits to children enrolled in the program as are
22 provided to Medicaid recipients under the Mississippi Medicaid
23 Laws, Section 43-13-117.

24 (3) The Children's Health Insurance Program shall be
25 established subject to the availability of funds specifically
26 appropriated by the Legislature for this purpose and federal
27 matching funds as set forth in Title XXI of the Social Security
28 Act.

29 (4) In administering the Children's Health Insurance
30 Program, the Division of Medicaid shall have all the authority,
31 duties and responsibilities set forth in Section 43-13-101 et seq.

32 (5) This section authorizes the Division of Medicaid to
33 submit a temporary plan for children's health insurance to the
34 U.S. Department of Health and Human Services.

35 (6) From and after the full implementation of the permanent
36 State Child Health Plan authorized under Section 5 of this act,
37 this section shall have no force and effect.

38 **SECTION 2.** Section 41-86-5, Mississippi Code of 1972, is
39 amended as follows:

40 41-86-5. As used in Sections 41-86-5 through 41-86-17, the
41 following definitions shall have the meanings ascribed in this
42 section, unless the context indicates otherwise:

43 (a) "Act" means the Mississippi Children's Health Care
44 Act.

45 (b) "Administering agency" means the agency designated
46 by the Mississippi Children's Health Insurance Program Commission
47 to administer the program.

48 (c) "Board" means the State and Public School Employees
49 Health Insurance Management Board created under Section 25-15-303.

50 (d) "Child" means an individual who is under nineteen
51 (19) years of age who is not eligible for Medicaid benefits and is
52 not covered by other health insurance.

53 (e) "Commission" means the Mississippi Children's
54 Health Insurance Program Commission created by Section 41-86-7.

55 (f) "Covered benefits" means the types of health care
56 benefits and services provided to eligible recipients
57 under the Children's Health Care Program.

58 (g) "Division" means the Division of Medicaid in the
59 Office of the Governor.

60 (h) "Low-income child" means a child whose family
61 income does not exceed one hundred thirty-five percent (135%) of
62 the poverty level for a family of the size involved.

63 (i) "Plan" means the State Child Health Plan.

64 (j) "Program" means the Children's Health Care Program
65 established by Sections 41-86-5 through 41-86-17.

66 (k) "Recipient" means a person who is eligible for
67 assistance under the program.

68 (l) "State Child Health Plan" means the permanent plan
69 that sets forth the manner and means by which the State of
70 Mississippi will provide health care assistance to eligible
71 uninsured, low-income children consistent with the provisions of
72 Title XXI of the federal Social Security Act, as amended.

73 **SECTION 3.** This act shall take effect and be in force from
74 and after its passage.