

As Introduced

131st General Assembly

Regular Session

2015-2016

H. B. No. 575

Representative Boyce

A BILL

To amend section 5162.06 and to enact sections
5101.543, 5107.101, and 5163.11 of the Revised
Code regarding qualified aliens' eligibility for
Medicaid, Ohio Works First, and the Supplemental
Nutrition Assistance Program during their first
five years in the United States.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 5162.06 be amended and sections
5101.543, 5107.101, and 5163.11 of the Revised Code be enacted
to read as follows:

Sec. 5101.543. (A) As used in this section, "five-year
period of ineligibility" means the five-year period during which
a qualified alien is ineligible for the supplemental nutrition
assistance program because of section 403(a) of the "Personal
Responsibility and Work Opportunity Reconciliation Act of 1996,"
8 U.S.C. 1613(a).

(B) A qualified alien is eligible for the supplemental
nutrition assistance program during the five-year period of
ineligibility if the qualified alien meets both of the following
requirements:

(1) The qualified alien, due to battery or extreme 20
cruelty, is a qualified alien pursuant to section 431(c)(1), 21
(2), or (3) of the "Personal Responsibility and Work Opportunity 22
Reconciliation Act of 1996," 8 U.S.C. 1641(c)(1), (2), or (3). 23

(2) The qualified alien would be eligible for the 24
supplemental nutrition assistance program if not for the five- 25
year period of ineligibility. 26

(C) Only state funds shall be used for supplemental 27
nutrition assistance program benefits provided under this 28
section to a qualified alien during the five-year period of 29
ineligibility. 30

Sec. 5107.101. (A) As used in this section, "five-year 31
period of ineligibility" means the five-year period during which 32
a qualified alien is ineligible to participate in Ohio works 33
first because of section 403(a) of the "Personal Responsibility 34
and Work Opportunity Reconciliation Act of 1996," 8 U.S.C. 35
1613(a). 36

(B) A qualified alien may participate in Ohio works first 37
during the five-year period of ineligibility if the qualified 38
alien meets both of the following requirements: 39

(1) The qualified alien, due to battery or extreme 40
cruelty, is a qualified alien pursuant to section 431(c)(1), 41
(2), or (3) of the "Personal Responsibility and Work Opportunity 42
Reconciliation Act of 1996," 8 U.S.C. 1641(c)(1), (2), or (3). 43

(2) The qualified alien would be eligible to participate 44
in Ohio works first if not for the five-year period of 45
ineligibility. 46

(C) Only state funds shall be used for Ohio works first 47
assistance, benefits, and services provided under this section 48

to a qualified alien during the five-year period of 49
ineligibility. 50

Sec. 5162.06. (A) Notwithstanding any other state statute 51
other than section 5163.11 of the Revised Code, no component, or 52
aspect of a component, of the medicaid program shall be 53
implemented without all of the following: 54

(1) Subject to division (B) of this section, if the 55
component, or aspect of the component, requires federal 56
approval, receipt of the federal approval; 57

(2) Sufficient federal financial participation for the 58
component or aspect of the component; 59

(3) Sufficient nonfederal funds for the component or 60
aspect of the component that qualify as funds needed to obtain 61
the federal financial participation. 62

(B) A component, or aspect of a component, of the medicaid 63
program that requires federal approval may begin to be 64
implemented before receipt of the federal approval if federal 65
law authorizes implementation to begin before receipt of the 66
federal approval. Implementation shall cease if the federal 67
approval is ultimately denied. 68

Sec. 5163.11. (A) As used in this section, "five-year 69
period of ineligibility" means the five-year period during which 70
a qualified alien is ineligible for medicaid because of section 71
403(a) of the "Personal Responsibility and Work Opportunity 72
Reconciliation Act of 1996," 8 U.S.C. 1613(a). 73

(B) The medicaid program shall cover a qualified alien 74
during the five-year period of ineligibility if the qualified 75
alien meets both of the following requirements: 76

(1) The qualified alien, due to battery or extreme 77
cruelty, is a qualified alien pursuant to section 431(c)(1), 78
(2), or (3) of the "Personal Responsibility and Work Opportunity 79
Reconciliation Act of 1996," 8 U.S.C. 1641(c)(1), (2), or (3). 80

(2) The qualified alien would be eligible for the medicaid 81
program if not for the five-year period of ineligibility. 82

(C) Only state funds shall be used for medicaid payments 83
made for the medicaid services provided under this section to a 84
qualified alien during the five-year period of ineligibility. 85

(D) Section 5162.06 of the Revised Codes does not apply to 86
this section. 87

Section 2. That existing section 5162.06 of the Revised 88
Code is hereby repealed. 89