

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**HOUSE BILL 1238**

Short Title: Medicaid Waiver/Prescription Drugs.

(Public)

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Sponsors: Representative Luebke.

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Referred to: Health.

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April 12, 2001

A BILL TO BE ENTITLED

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2 AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN  
3 SERVICES TO APPLY FOR A MEDICAID WAIVER TO PROVIDE  
4 PRESCRIPTION DRUG COVERAGE FOR ELDERLY AND DISABLED  
5 PERSONS NOT OTHERWISE ELIGIBLE FOR MEDICAID.

6 The General Assembly of North Carolina enacts:

7       **SECTION 1.** The Department of Health and Human Services shall apply to  
8 the Health Care Financing Administration for a Medicaid waiver to provide prescription  
9 drug coverage for elderly and disabled persons who are:

- 10           (1) Over age 65 or disabled;  
11           (2) Not eligible for Medicaid;  
12           (3) Do not have coverage for prescription drugs under public or private  
13           health insurance; and  
14           (4) Whose family income is between one hundred twenty percent (120%)  
15           and one hundred fifty percent (150%) of the federal poverty level.

16       **SECTION 2.** In the event that the federal Medicaid waiver applied for under  
17 Section 1 of this act is approved, the Department of Health and Human Services shall  
18 not implement the waiver until the General Assembly has enacted a law implementing  
19 the waiver and appropriating the necessary funds therefor. Not later than October 1,  
20 2001, the Department shall report to the House of Representatives Appropriations  
21 Subcommittee on Health and Human Services, the Senate Appropriations Committee on  
22 Human Resources, and to the Joint Legislative Health Care Oversight Committee on the  
23 status of the waiver requested pursuant to Section 1 of this act.

24       **SECTION 3.** Nothing in this act obligates the General Assembly to  
25 appropriate funds to implement this act.

26       **SECTION 4.** This act is effective when it becomes law.