

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

**H.B. 842**  
**Apr 14, 2015**  
**HOUSE PRINCIPAL CLERK**

H

D

HOUSE DRH20268-TR-19 (03/19)

Short Title: Medicaid Waiver Protections/Military Families. (Public)

Sponsors: Representatives G. Martin, Avila, and Adcock (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROTECT ACCESS TO MEDICAID WAIVERS BY DEPENDENTS OF  
3 MEMBERS OF THE ARMED FORCES.  
4 The General Assembly of North Carolina enacts:  
5 **SECTION 1.** The Department of Health and Human Services shall ensure that the  
6 eligibility criteria for Medicaid home- and community-based waivers allow the dependent of a  
7 member of the Armed Forces to maintain the dependent's waiver status upon the transfer of the  
8 service member to an assignment outside of North Carolina, so long as the service member  
9 maintains the State of North Carolina as the legal residence to which the service member  
10 intends to return following completion of military service. Consequently, a dependent who is  
11 on the waiting list for a waiver slot would maintain the dependent's position on the waiting list.  
12 A dependent who was receiving waiver services prior to the service member's transfer, upon  
13 the dependent's return to North Carolina, would be reinstated to the dependent's waiver slot, if  
14 the slot remains available, or would receive a priority position on the waiting list for the next  
15 available waiver slot. This section shall not be construed to authorize the provision of waiver  
16 services outside of North Carolina.  
17 **SECTION 2.** The Department of Health and Human Services shall submit any  
18 Medicaid State Plan amendments or waiver amendments necessary to accomplish the  
19 requirements in Section 1 of this act.  
20 **SECTION 3.** This act is effective when it becomes law.

