

Testimony
House Bill 1326 – Department of Human Services
Senate Human Services Committee
Senator Judy Lee, Chairman
March 3, 2021

Chairman Lee, members of the Senate Human Services Committee, I am LeeAnn Thiel, Assistant Director of the Medical Services Division, for the Department of Human Services (Department). I am here today in support of House Bill 1326.

The Department did emergency rules in May 2020 to North Dakota Administrative Code 75-02-10 to exempt the first round of federal stimulus payments that individuals received from income for determining eligibility for the basic care assistance program. As you are aware these federal stimulus payments were determined and distributed by the federal government in response to the COVID pandemic. This bill will exempt the second round of federal, COVID-related payments from being counted as income as well. If the bill is enacted into law, it will allow the individual to keep the payment.

It is important to note that individuals who receive a federal stimulus payment, in the first or second distribution of COVID-related funds, still must spend these dollars so they do not negatively impact their Medicaid eligibility, particularly if they are comingled with other funds. For example, suppose a basic care resident who is eligible for Medicaid received the \$1,200 federal stimulus payment and deposited it in their existing savings account. Once those funds are comingled it would not be possible, upon Medicaid redetermination, to determine which of those funds were existing savings and which were stimulus funds. The entire

amount in the savings account would be considered at redetermination and could put them over the asset limit. Even if this law were passed, the Department still must follow federal regulations for determining Medicaid eligibility.

I would be happy to answer any questions that you may have.