

SB245 INTRODUCED



1 SB245
2 MU5IHW-1
3 By Senator Orr
4 RFD: Finance and Taxation General Fund
5 First Read: 18-Mar-25



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SYNOPSIS:

This bill would prohibit the Alabama Medicaid Agency (the agency) from accepting certain self attestations or eligibility determinations for Medicaid.

This bill would require the agency to enter into data matching agreements with certain state agencies to cross-check Medicaid eligibility with other data relating to income, employment, assets, and other relevant information.

This bill would require the Department of Human Resources (the department) to enter into data matching agreements with certain state agencies to cross-check food assistance eligibility with other data relating to income, employment, assets, and other relevant information.

This bill would require the agency and the department to regularly review certain related federal data to assess continued eligibility for public assistance and, if necessary, act on any changes.

This bill would require the agency and the department to regularly publish data relating to investigations of fraud and noncompliance.

This bill would also require the agency and the department to adopt rules.



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A BILL
TO BE ENTITLED
AN ACT

Relating to public assistance; to provide further for eligibility determinations for Medicaid; to prohibit certain self attestations for Medicaid eligibility; to require the Alabama Medicaid Agency to enter into data matching agreements with certain state agencies to cross-check Medicaid eligibility; to require the Department of Human Resources to enter into data matching agreements with certain state agencies to cross-check food assistance eligibility; to require the agency and the department to regularly review certain federal data for purposes of confirming eligibility for public assistance; to require the agency and the department to publicize data related to investigations of fraud; and to require the agency and the department to adopt rules.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) For the purposes of this section, the term "eligibility" refers to eligibility for participation in or receipt of benefits from Medicaid.

(b) (1) The Alabama Medicaid Agency may not accept eligibility determinations from an Exchange established under 42 U.S.C. § 18041(c).

(2) The agency may accept assessments from an Exchange



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57 established under 42 U.S.C. § 18041(c), provided that the
58 agency verifies eligibility and makes eligibility
59 determinations.

60 (c) Except where required by federal law, the Alabama
61 Medicaid Agency may not:

62 (1) Accept self-attestation of income, residency, age,
63 household composition, caretaker or relative status, or
64 receipt of other coverage without verifying that information
65 prior to enrollment; or

66 (2) Request the authority to waive or decline to
67 periodically check any available income-related data sources
68 to verify eligibility.

69 (d) The Alabama Medicaid Agency shall enter into data
70 matching agreements to receive and review information that may
71 indicate a change in circumstances that may affect eligibility
72 and cross-check households enrolled in Medicaid with other
73 state data sets as follows:

74 (1) On at least a monthly basis, information from each
75 of the following:

76 a. The Alabama Department of Public Health, including,
77 but not limited to, death records.

78 b. The Department of Human Resources, including, but
79 not limited to, potential changes in residency as identified
80 by out-of-state electronic benefit (EBT) transactions.

81 c. The Department of Corrections, including, but not
82 limited to, incarceration status.

83 (2) On at least a quarterly basis, information from
84 each of the following:



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85 a. The Department of Workforce, including, but not
86 limited to, changes in employment, income, wages, assets, or
87 disability status.

88 b. The Department of Revenue, including, but not
89 limited to, potential changes in income, wages, or residency
90 as identified by tax records.

91 (e) At least once a month, the Alabama Medicaid Agency
92 must assess continued eligibility and act on any changes that
93 may affect eligibility based on a review of data from the
94 following federal sources:

95 (1) From the United States Social Security
96 Administration, earned income information, death register
97 information, incarceration records, supplemental security
98 income information, beneficiary records, earnings information,
99 and pension information.

100 (2) From the United States Department of Health and
101 Human Services, income and employment information maintained
102 in the National Directory of New Hires database and child
103 support enforcement data.

104 (3) From the United States Department of Housing and
105 Urban Development, payment and earnings information.

106 (4) From the United States Federal Bureau of
107 Investigation, national fleeing felon information.

108 (f) On at least a quarterly basis, the Alabama Medicaid
109 Agency shall make available on its public website all of the
110 following data from findings on noncompliance and fraud
111 investigations, provided the data is presented in the
112 aggregate and does not include confidential or personally



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113 identifying information:

114 (1) The number of Medicaid cases investigated for
115 intentional program violations or fraud.

116 (2) The total number of Medicaid cases referred to the
117 Attorney General's office for prosecution.

118 (3) Improper payments and expenditures.

119 (4) Monies received.

120 (5) Aggregate data concerning improper payments and
121 ineligible recipients as a percentage of those investigated
122 and reviewed.

123 (g) The Alabama Medicaid Agency shall adopt rules to
124 implement and administer this section.

125 Section 2. (a) For the purposes of this section, the
126 term "eligibility" refers to eligibility for food assistance,
127 including the Supplemental Nutrition Assistance Program
128 (SNAP).

129 (b) The Department of Human Resources shall enter into
130 data matching agreements to receive and review information
131 that may indicate a change in circumstances that may affect
132 eligibility and cross-check households enrolled in food
133 assistance with other state data sets as follows:

134 (1) On at least a monthly basis, information from each
135 of the following:

136 a. The Alabama Department of Public Health, including,
137 but not limited to, death records.

138 b. The Department of Human Resources, including, but
139 not limited to, potential changes in residency as identified
140 by out-of-state electronic benefit (EBT) transactions.



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141 c. The Department of Corrections, including, but not
142 limited to, incarceration status.

143 (2) On at least a quarterly basis, information from
144 each of the following:

145 a. The Department of Workforce, including, but not
146 limited to, changes in employment, income, wages, assets, or
147 disability status.

148 b. The Department of Revenue, including, but not
149 limited to, potential changes in income, wages, or residency
150 as identified by tax records.

151 (c) At least once a month, the Department of Human
152 Resources must assess continued eligibility and act on any
153 changes that may affect eligibility based on a review of data
154 from the following federal sources:

155 (1) From the United States Social Security
156 Administration, earned income information, death register
157 information, incarceration records, supplemental security
158 income information, beneficiary records, earnings information,
159 and pension information.

160 (2) From the United States Department of Health and
161 Human Services, income and employment information maintained
162 in the National Directory of New Hires database and child
163 support enforcement data.

164 (3) From the United States Department of Housing and
165 Urban Development, payment and earnings information.

166 (4) From the United States Federal Bureau of
167 Investigation, national fleeing felon information.

168 (d) On at least a quarterly basis, the Department of



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169 Human Resources shall make available on its public website all
170 of the following data from findings on noncompliance and fraud
171 investigations, provided the data is presented in the
172 aggregate and does not include confidential or personally
173 identifying information:

174 (1) The number of households investigated for
175 intentional program violations or fraud.

176 (2) The total number of households referred to the
177 Attorney General's office for prosecution.

178 (3) Improper payments and expenditures.

179 (4) Monies received.

180 (5) Aggregate data concerning improper payments and
181 ineligible recipients as a percentage of those investigated
182 and reviewed.

183 (6) The aggregate amount of funds expended by EBT
184 transactions in each state outside of Alabama.

185 (e) The Department of Human Resources shall adopt rules
186 to implement and administer this section.

187 Section 3. This act shall become effective on October
188 1, 2025.