



SPECIAL COMMITTEE ON AGING

Chairman Bob Casey

Disaster Relief Medicaid Act

Why do we need the Disaster Relief Medicaid Act?

Whether it is a hurricane, wildfire, flood or blizzard, natural disasters are occurring at increased rates across the country. In the aftermath of these disasters thousands of people are often forced to abandon their homes and relocate, with no idea how long it will be before they can return. After Hurricane Katrina hit Louisiana in 2005, over one million evacuees were forced to relocate, with many being sent to Texas, Arkansas and parts of Mississippi, and as far away as California and Massachusetts. In another disaster, a full year after Super Storm Sandy hit the east coast, over 20,000 households remained displaced.

The stresses of being forced to move after a disaster are even greater for individuals and families that are eligible for Medicaid health care and long-term services and supports. The move from one's home state to a host state as a result of a disaster can mean the loss of access to long-term services and supports. Medicaid, the program most likely to provide these services and supports, is partially funded by the federal government and administered by the states and, as a result, a person must be a resident of the state to receive Medicaid services. Individuals receiving Medicaid home and community-based services do so through a waiver that each state applies for through the federal government and many states have waiting lists for individuals with disabilities and older adults that do not carry over when an individual is forced to relocate. The loss of health care and long-term services and supports can have a significant effect on quality of life, the ability to care for one's self, the opportunity to work and much more.

What will the Disaster Relief Medicaid Act do?

The Disaster Relief Medicaid Act would ensure that individuals eligible for Medicaid who are forced to relocate due to a disaster are able to continue to access their Medicaid supported services. This legislation would designate an individual who resides in an area covered under a presidential disaster declaration as a Relief-Eligible Survivor, and allow them to continue to access their Medicaid services if they are forced to relocate to another state as a result of the disaster.

The Disaster Relief Medicaid Act helps states meet the needs of Relief-Eligible Survivors through a limited time one hundred percent federal match for displaced individuals, technical assistance and support to develop innovative state strategies to respond to an influx of out-of-state individuals. The bill creates a grant to help states develop an emergency response corps to provide home and community-based services.

Cosponsors: Sens. Blumenthal (D-CT), Brown (D-OH), Van Hollen (D-MD), and Warren (D-MA)

Endorsements: American Association of People with Disabilities, ANCOR, The Arc of the United States, Association of Programs for Rural Independent Living, Association of University Centers on Disabilities, Autism Society of America, Autistic Self Advocacy Network, Bazelon Center for Mental Health Law, Little Lobbyists, National ADAPT, National Association of Councils on Developmental Disabilities, National Council on Independent Living, National Down Syndrome Congress, National Multiple Sclerosis Society, Paralyzed Veterans of America, The Partnership for Inclusive Disaster Strategies, World Institute on Disability

For more information or to cosponsor, please contact Josh Dubensky at josh_dubensky@aging.senate.gov

Section-By-Section Summary

Section 1 – Short Title

Officially names the legislation the Disaster Relief Medicaid Act.

Section 2 – Medicaid Relief for Disaster Survivors

Ensures Medicaid services and supports are available for individuals forced to relocate to another state as a result of a disaster or emergency. Designates a Medicaid-eligible individual who resides in an area covered under a presidential disaster declaration as a Relief-Eligible Survivor, and permits them to continue to access their Medicaid services if they are forced to relocate to another state as a result of the disaster.

Section 3 – Promoting Effective and Innovative State Responses to Increased Demand for Medical Assistance Following a Disaster

Provides technical assistance and support to develop innovative state strategies to respond to an influx of out-of-state individuals due to a disaster and permits states to utilize out-of-state providers in order to help meet that demand. This section also creates a grant to help states develop an emergency response corps to provide home and community-based services to Relief-Eligible Survivors.

Section 4 – Targeted Medicaid Relief for Direct Impact Areas

Guarantees a limited time 100 percent federal matching payment (FMAP) for states designated as emergency areas to meet the medical assistance needs of Relief-Eligible Survivors.

Section 5 – Authority to Waive Requirements during National Emergencies With Respect to Evacuees from an Emergency Area

Allows the Secretary of Health and Human Services to designate an area that receives an influx of individuals as the result of a disaster to be designated as an emergency area.

Section 6 – Exclusion of Disaster Relief Coverage Period in Computing Medicare Part B Late Enrollment Period

Ensures that an individual who is forced to relocate due to a disaster is not penalized for failing to enroll in Medicare Part B.

Section 7 – Effective Date

Requires the legislation to take effect immediately upon being signed into law, but permits the Secretary of Health and Human Services to grant a delay in states where additional legislation is required to meet the provisions of this legislation.