

## CHAPTER 23

### MEDICAID HOME AND COMMUNITY-BASED SERVICES WAIVERS — SERVICE PROVIDERS

S.F. 351

**AN ACT** relating to service providers under Medicaid home and community-based services waivers.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 135C.6, subsection 8, paragraph c, unnumbered paragraph 1, Code 2013, is amended to read as follows:

A residential program approved by the department of human services pursuant to this paragraph "c" to receive moneys appropriated to the department of human services under provisions of a federally approved home and community-based services habilitation or waiver for persons with intellectual disabilities program may provide care to not more than five individuals. The department shall approve a residential program under this paragraph that complies with all of the following conditions:

Sec. 2. 2010 Iowa Acts, chapter 1031, section 351, is amended to read as follows:

SEC. 351. MEDICAID HOME AND COMMUNITY-BASED SERVICES WAIVER PAYMENTS UTILIZATION — REVIEW. The department of human services shall evaluate payment records utilization data and determine the proper mechanism to trigger a review of payments medical necessity for services provided under each home and community-based services waiver that are in excess of the median amount for payments through the applicable waiver. Following evaluation of the utilization data and determination of the trigger mechanism, the department shall notify the affected providers of the results of the evaluation of utilization data, the determination of the trigger mechanism, and the criteria that will be used for review of services that exceed the trigger mechanism, at least sixty days prior to applying the trigger mechanism to assess the medical necessity of the services requested. Following development of the trigger mechanism provision of notice to affected providers as required under this section, the department shall require advance approval for services for which payment utilization is projected to exceed the median trigger mechanism as applicable to each waiver service. The use of a trigger mechanism and the approval process is intended to preserve necessary services while preventing overuse of services.

Approved April 5, 2013