

House Study Bill 154

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
HUMAN RESOURCES BILL
BY CHAIRPERSON UPMEYER)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to inclusion of assisted living services under
2 the medical assistance home and community-based services
3 waiver for the elderly.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 2251YC 81
6 pf/gg/14

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1 1 Section 1. HOME AND COMMUNITY-BASED SERVICES WAIVER FOR
1 2 THE ELDERLY == INCLUSION OF ASSISTED LIVING SERVICES.
1 3 1. The department of human services shall request any
1 4 waiver necessary and shall submit a medical assistance state
1 5 plan amendment to the centers for Medicare and Medicaid
1 6 services of the United States department of health and human
1 7 services to add assisted living services to the home and
1 8 community-based services waiver for the elderly under the
1 9 medical assistance program.
1 10 2. The assisted living services portion of the waiver
1 11 shall provide all of the following:
1 12 a. Assisted living services shall include personal care
1 13 and services, homemaker services, chore services, attendant
1 14 care, companion services, medication oversight, meals,
1 15 arranging for or provision of medically necessary
1 16 transportation within the recipient's community, and
1 17 therapeutic social and recreational programming. Assisted
1 18 living services shall also include twenty-four-hour on-site
1 19 response staff to meet scheduled or unpredictable needs in a
1 20 manner that promotes maximum dignity and independence, and to
1 21 provide supervision, safety, and security.
1 22 b. The assisted living waiver shall only be available to
1 23 tenants of certified assisted living programs regulated
1 24 pursuant to chapter 231C.
1 25 c. A tiered system of services based on the level of
1 26 assistance for the type, number, and severity of activities of
1 27 daily living or of cognitive or behavioral impairments.
1 28 d. A payment rate for each tier of services based on a
1 29 percentage of average urban and rural modified price-based
1 30 case mix nursing facility rates, minus the federal
1 31 supplemental security income payment standard for a single
1 32 aged, blind, or disabled individual, multiplied by sixty
1 33 percent for level one, seventy percent for level two, and
1 34 eighty percent for level three. The rate shall be determined
1 35 as a daily rate with the rate adjusted annually each July 1,
2 1 based upon state appropriations.
2 2 e. Room and board costs for the tenant shall be determined
2 3 between the tenant and the assisted living program.
2 4 f. Exclusion of a recipient of assisted living services
2 5 under the waiver from the in-home health program, other
2 6 elderly waiver services that are included in the assisted
2 7 living services portion of the waiver, and Medicaid home
2 8 health services not including skilled care services.
2 9 g. The recipient of assisted living services shall remain
2 10 eligible for skilled care under the Medicare or Medicaid
2 11 program, if the recipient requires skilled care.

EXPLANATION

2 13 This bill directs the department of human services to
2 14 request any waivers necessary and submit a medical assistance
2 15 state plan amendment to the centers for Medicare and Medicaid
2 16 services of the United States department of health and human
2 17 services to add assisted living services to the home and

2 18 community-based services waiver for the elderly under the
2 19 medical assistance program. The bill specifies the provisions
2 20 of the assisted living services portion of the waiver
2 21 including the services that would be included and those that
2 22 would be excluded, that the assisted living services under the
2 23 waiver would only be available to tenants of certified
2 24 assisted living programs, that the services and payment for
2 25 services would be based on a tiered system, and that room and
2 26 board costs for the tenant are to be determined between the
2 27 tenant and the assisted living program.
2 28 LSB 2251YC 81
2 29 pf:nh/gg/14