

Senate Study Bill 1133 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
HUMAN SERVICES BILL)

A BILL FOR

1 An Act relating to service providers under Medicaid home and
2 community-based services waivers.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

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

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

15 SEC. 351. MEDICAID HOME AND COMMUNITY-BASED SERVICES WAIVER
16 PAYMENTS UTILIZATION — REVIEW. The Beginning July 1, 2013,
17 the department of human services shall evaluate payment records
18 utilization data and determine the proper mechanism to trigger
19 a review of payments medical necessity for services provided
20 under each home and community-based services waiver ~~that are in~~
21 ~~excess of the median amount for payments through the applicable~~
22 ~~waiver~~. Following development of the trigger mechanism, the
23 department shall require advance approval for services for
24 which payment utilization is projected to exceed the median
25 trigger mechanism as applicable to each waiver service. The
26 use of a trigger mechanism and the approval process is intended
27 to preserve necessary services while preventing overuse of
28 services.

29

EXPLANATION

30 This bill involves provisions relating to Medicaid home and
31 community-based services (HCBS) waivers.

32 The bill amends a provision in the health facilities
33 licensing chapter (Code chapter 135C) that provides an
34 exemption from licensing as a health care facility for certain
35 residential programs to which the department of human services

1 (DHS) applies accreditation, certification, or standards of
2 review. The bill broadens the exemption for residential
3 programs that provide care to not more than five individuals
4 that are approved by DHS to receive moneys under an HCBS
5 waiver, by removing the limitation to only HCBS waivers for
6 persons with intellectual disabilities and instead providing
7 for application of the exemption to residential programs
8 approved by DHS to receive moneys under HCBS habilitation or
9 waiver programs.

10 The bill also amends a provision in 2010 Iowa Acts relating
11 to evaluation of Medicaid HCBS waiver payments, to instead
12 require that, beginning July 1, 2013, DHS evaluate utilization
13 data and determine the proper mechanism to trigger a review of
14 medical necessity for services provided under each home and
15 community-based services waiver. Following development of the
16 trigger mechanism, DHS is required to provide advance approval
17 for services for which utilization is projected to exceed the
18 trigger mechanism as applicable to each waiver service.