

House File 2641 - Introduced

HOUSE FILE 2641
BY COMMITTEE ON HEALTH AND HUMAN
SERVICES

(SUCCESSOR TO HSB 739)

A BILL FOR

- 1 An Act relating to the Medicaid home and community-based services
- 2 elderly waiver program, including transition planning and
- 3 assisted living services.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

1 Section 1. NEW SECTION. **249A.32C Medicaid home and**
2 **community-based services elderly waiver program — transition**
3 **planning, case management, and assisted living services.**

4 The department of health and human services shall adopt rules
5 pursuant to chapter 17A that do all of the following:

6 1. Allow case managers and care coordination team members
7 to work with a resident of a skilled nursing facility, family
8 members of the resident, and other skilled nursing facility staff
9 to initiate transition planning from the skilled nursing facility
10 to the Medicaid home and community-based services elderly waiver
11 program prior to the discharge of the resident. Transition
12 planning may include but is not limited to needs assessments,
13 care coordination, and service planning. Transition planning may
14 be initiated for any resident of a skilled nursing facility who
15 is determined by the skilled nursing facility's discharge planner
16 to be capable of successfully transitioning to a lower level of
17 care, and who is otherwise eligible for the Medicaid home and
18 community-based services elderly waiver program. Provision of
19 Medicaid home and community-based elderly waiver services shall
20 commence after the resident is discharged to a lower level of
21 care.

22 2. a. Define "targeted population", for purposes of
23 case management services furnished to Medicaid home and
24 community-based services elderly waiver program participants, as
25 an individual who meets one of the following criteria:

26 (1) An adult who is identified with a primary diagnosis of
27 intellectual disability, chronic mental illness, or developmental
28 disability.

29 (2) A child who is eligible to receive home and
30 community-based intellectual disability waiver services or home
31 and community-based children's mental health waiver services.

32 (3) An adult aged sixty-five or older who is a resident of
33 a nursing facility, as that term is defined in section 135C.1,
34 approved by Medicaid to provide services under the Medicaid home
35 and community-based services elderly waiver program.

b. A member enrolled with a managed care organization or integrated health home shall not be included in the definition of targeted population.

4 Sec. 2. MEDICAID ELDERLY WAIVER — ASSISTED LIVING
5 SERVICES. The department of health and human services shall
6 adopt rules pursuant to chapter 17A that do all of the following:

1. Define "assisted living service" to mean personal care and supportive services that are furnished to Medicaid home and community-based services elderly waiver program participants who reside in a homelike, noninstitutional setting. The assisted living service must include twenty-four-hour on-site response capability to meet participant needs, as well as member safety and security, through incidental supervision. Assisted living service is not reimbursable if performed at the same time as any service included in an approved consumer-directed attendant care agreement.

17 2. Specify that a unit of assisted living service is one day.

18 3. Specify that a unit of assisted living service is billable
19 only if both of the following requirements are met:

20 a. The member was present in the facility during that day's
21 bed census.

b. The assisted living provider has documented at least one assisted living service encounter for that day. The documentation must include the participant's response to the assisted living service encounter. The documented assisted living service encounter cannot also be an authorized consumer-directed attendant care service.

28 EXPLANATION

29 The inclusion of this explanation does not constitute agreement with
30 the explanation's substance by the members of the general assembly.

31 This bill relates to the Medicaid home and community-based
32 services elderly waiver program (elderly waiver), including
33 transition planning and assisted living services.

34 The bill directs the department of health and human services
35 (HHS) to adopt rules to allow case managers and care coordination

1 team members to work with a resident of a skilled nursing
2 facility, family members of the resident, and other skilled
3 nursing facility staff to initiate transition planning from the
4 skilled nursing facility to the elderly waiver program prior to
5 the discharge of the resident.

6 HHS must also adopt rules to include adults aged 65 or older
7 who are residents of a nursing facility in the definition of
8 targeted population for purposes of case management services
9 furnished to elderly waiver participants.

10 The bill directs HHS to adopt rules to define "assisted
11 living service" to mean personal care and supportive services
12 that are furnished to waiver participants who reside in a
13 homelike, noninstitutional setting. The service must include
14 24-hour on-site response capability to meet member needs as well
15 as member safety and security through incidental supervision.
16 Assisted living service is not reimbursable if performed
17 at the same time as any service included in an approved
18 consumer-directed attendant care agreement. The rules must also
19 specify certain billing requirements.