

# 1995 SESSION

ENROLLED

## HOUSE JOINT RESOLUTION NO. 539

*Requesting the Department of Medical Assistance Services to evaluate the feasibility and advisability of amending the Elderly and Disabled Waiver to allow individuals to hire their own personal attendants.*

Agreed to by the House of Delegates, February 7, 1995  
Agreed to by the Senate, February 21, 1995

WHEREAS, the Department of Rehabilitative Services currently operates a Personal Attendant Service Program in which the consumer hires his own aide and is reimbursed by the Department for the cost of the care rendered, and the results of this arrangement have been positive for both the Commonwealth and the consumer; and

WHEREAS, the Department of Medical Assistance Services recently amended the waiver for persons with mental retardation to allow those individuals residing in nursing facilities who have developmental disabilities and who are served by the Department of Rehabilitative Services to hire their own personal aide after demonstrating their ability to manage and supervise the performance of that aide; and

WHEREAS, the Department of Medical Assistance Services has the option to (i) continue to contract only with agencies for the provision of personal care for other eligible clients, (ii) pay for services offered by individuals rather than agencies, or (iii) offer both options, which would be available based on the consumer's ability to manage their own care; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Department of Medical Assistance Services be requested to evaluate the feasibility and advisability of amending the existing Elderly and Disabled Waiver to allow for the same range of options currently available to persons with developmental disabilities for the hiring of their own personal attendants.

The Department of Medical Assistance Services shall provide staff support for the study. All agencies of the Commonwealth shall provide assistance to the Department, upon request.

The Department of Medical Assistance Services shall complete its work in time to submit its findings and recommendations to the Governor and the 1996 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

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