

1996 SESSION

HOUSE SUBSTITUTE

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HOUSE JOINT RESOLUTION NO. 125
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Joint Conference Committee
on March 9, 1996)

(Patron Prior to Substitute—Delegate Almand)

Expressing the sense of the General Assembly that the Department of Medical Assistance Services request a waiver or waiver amendment to offer consumer-directed personal assistance services, in conjunction with the agency-directed model currently available, to Virginians who are elderly or who have disabilities.

WHEREAS, the Department of Medical Assistance Services has evaluated the feasibility and advisability of amending the existing Elderly and Disabled Waiver to allow consumers to hire their own personal attendant after demonstrating their ability to manage and supervise the performance of that attendant; and

WHEREAS, the Department 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 his own care; and

WHEREAS, the findings of the study pursuant to House Joint Resolution No. 539 (1995) estimates that 1,176 consumers with disabilities who are under age 65 and 1,613 consumers over age 65 might choose the option of consumer-directed personal assistance services, if available; and

WHEREAS, the implementation of the recommendations of the study pursuant to HJR 539 (1995) appears to be amenable to Congressional Medicaid reform; and

WHEREAS, the immediate benefit of consumer-directed personal assistance services includes an increased level of independent living which is beneficial and productive for all Virginians; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That it is the sense of the General Assembly that the Department of Medical Assistance Services, with all due haste, request a waiver or a waiver amendment from the federal government and implement with all due haste consumer-directed personal assistance services, in conjunction with the agency-directed model currently available, to Virginians who are elderly or who have disabilities; and, be it

RESOLVED FURTHER, That the Department of Medical Assistance Services be requested to examine existing and available waivers or other options to provide personal assistance services through a consumer-based model of service delivery.

The Department shall report its findings and recommendations, and progress on the implementation of consumer-directed personal assistance services, by November 1, 1996, to the Governor and the General Assembly.

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