

# 1996 SESSION

## SENATE SUBSTITUTE

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**HOUSE JOINT RESOLUTION NO. 125**  
**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
(Proposed by the Senate Committee on Rules  
on March 4, 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 to Virginians who are elderly or who have disabilities in conjunction with the agency-directed model currently available.*

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 1995 House Joint Resolution No. 539 study 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 HJR 539 study 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 request a waiver or waiver amendment to offer consumer-directed personal assistance services to Virginians who are elderly or who have disabilities in conjunction with the agency-directed model currently available; and be it

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

All agencies of the Commonwealth shall provide assistance to the Department, upon request.

The Department shall complete its work in time to submit its findings and recommendations by November, 15, 1996, to the Governor and the 1997 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

SENATE SUBSTITUTE

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