

**Department of Planning and Budget  
2003 Fiscal Impact Statement**

**1. Bill Number** SB1008

**House of Origin**     Introduced     Substitute     Engrossed  
**Second House**     In Committee     Substitute     Enrolled

**2. Patron** Potts

**3. Committee** Passed Both Houses

**4. Title** Medical assistance services; consumer -directed care.

**5. Summary/Purpose:**

This bill requires the Department of Medical Assistance Services (DMAS) to prepare and submit to the Centers for Medicare and Medicaid Services (CMS) an application for a new waiver for home- and community -based services that is cost effective and expands consumer -directed care to the maximum extent allowable under federal law and regulation while protecting the health and safety of recipients. This waiver will provide for a fiscal agent to handle tax issues and payment of personal attendants on the part of recipients. In addition, the waiver application will provide recipients with flexible choices and personal independence insofar as possible and will include provisions for family members to deliver the covered services when consistent with and not prohibited by federal law and regulation. Once the application has been approved by CMS, DMAS will promulgate emergency regulations to implement this waiver program. In order to save funding, the agency may employ the electronic media as much as possible during the promulgation of the regulations. However, it must continue to provide public notice and participation to those individuals who do not have access to the Internet or other forms of electronic media.

**6. No Fiscal Impact**

**7. Budget amendment necessary:** No

**8. Fiscal implications:** None

**9. Specific agency or political subdivisions affected:** N/A

**10. Technical amendment necessary:** No

**11. Other comments:** The new Independence Plus Home and Community Based Services Waiver as proposed in the Introduced Budget would meet the requirements of this legislation.

**Date:** 02/25/03/sas

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cc:Secretary of Health and Human Resources