



General Assembly

January Session, 2019

***Raised Bill No. 897***

LCO No. 4558



Referred to Committee on HUMAN SERVICES

Introduced by:  
(HS)

***AN ACT CONCERNING A MEDICAID RECIPIENT'S RIGHT TO SELECT A CAREGIVER.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2019*) (a) For purposes of this  
2 section, (1) "Community First Choice" means an optional service under  
3 the Medicaid state plan that allows an eligible Medicaid beneficiary to  
4 hire personal care attendants and get other services and supports to  
5 live independently longer at home, (2) "home and community-based  
6 services" means services provided under a Medicaid waiver program  
7 that allows a Medicaid beneficiary to live independently longer at  
8 home by directing his or her own care, and (3) "qualified caregiver"  
9 means any home health aide, homemaker-companion, personal care  
10 attendant or nurse's aide, licensed or registered pursuant to state law,  
11 regardless of whether such person is employed by an agency that  
12 contracts with the Department of Social Services, provided such  
13 caregiver is (A) an enrolled Medicaid provider or is employed by an  
14 enrolled Medicaid provider, (B) has passed background checks  
15 required under state law, (C) is available, and (D) provides specific  
16 services and supports to a Medicaid beneficiary as part of such

17 beneficiary's plan of care.

18 (b) The Commissioner of Social Services shall ensure that any  
19 Medicaid beneficiary enrolled in (1) the Community First Choice  
20 program, or (2) any home and community-based services program is  
21 able to choose a qualified caregiver to provide services and support  
22 necessary to allow such beneficiary to live independently longer at  
23 home. The commissioner shall seek federal approval, if necessary, to  
24 amend the Medicaid state plan or any Medicaid waiver program to  
25 implement the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019</i>	New section

**Statement of Purpose:**

To allow a Medicaid beneficiary who directs his or her own care to choose a qualified caregiver regardless of whether such caregiver is an employee of an agency that has a contract with the Department of Social Services.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*