

1 AN ACT relating to Medicaid 1915(c) home and community based services
2 waivers.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 205 IS CREATED TO
5 READ AS FOLLOWS:

6 *The Cabinet for Health and Family Services shall submit an application for the*
7 *provision of assisted living services under the 1915(c) home and community based*
8 *services waiver programs established pursuant to and in accordance with 42 U.S.C.*
9 *sec. 1396n(c) to the Centers for Medicare and Medicaid Services on or before*
10 *November 1, 2026. If approved, the application shall require:*

11 *(1) Assisted living services to be provided to seniors aged sixty-two (62) or older in*
12 *conjunction with low and moderate-income housing that may be financed*
13 *utilizing federal low-income housing tax credits and tax-exempt private activity*
14 *bonds administered and allocated by the Kentucky Housing Corporation; and*

15 *(2) Adequate support for assisted living services, including but not limited to*
16 *providing:*

17 *(a) A daily reimbursement rate for assisted living services of no less than fifty*
18 *percent (50%) of the otherwise applicable reimbursement rate for skilled*
19 *nursing facilities;*

20 *(b) An amount of assisted living waiver slots to be determined by the cabinet in*
21 *the application to the Centers for Medicare and Medicaid Services;*

22 *(c) Periodic increases in assisted living waiver slots to be determined by the*
23 *cabinet, but in an amount otherwise required to at least meet the demands*
24 *for affordable assisted living housing facilities financed utilizing federal*
25 *low-income housing tax credits and tax-exempt private activity bonds*
26 *administered and allocated by the Kentucky Housing Corporation;*

27 *(d) No less than one thousand (1,000) assisted living waiver slots on or before*

1 January 1, 2027, if necessary funds are appropriated by the General
2 Assembly; and

3 (e) Any other support and assistance that the Kentucky Housing Corporation
4 and other applicable state and local governmental agencies and entities may
5 require to facilitate the provision of housing and assisted living services to
6 low and moderate-income seniors aged sixty-two (62) or older in need of
7 assistance with two (2) or more activities of daily living.