

1 AN ACT relating to waiver programs.

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

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

5 *(1) The Cabinet for Health and Family Services shall:*

6 *(a) Ensure that the home and community-based waiver programs provide for*  
7 *attendant care or non-skilled in-home care services across all waiver*  
8 *programs without disparity;*

9 *(b) Ensure that the home and community-based waiver programs provide for*  
10 *skilled nursing visits for adult day health care and home health care*  
11 *providers and promulgate administrative regulations to identify specific*  
12 *criteria to be met;*

13 *(c) Ensure that all home and community-based waiver providers are permitted*  
14 *to provide participant-directed services;*

15 *(d) Ensure that participant-directed service providers and agencies providing*  
16 *registered nurse specialized respite are not required to be on call twenty-*  
17 *four (24) hours per day, seven (7) days per week; and*

18 *(e) Consolidate all home and community-based waiver application processes*  
19 *under the Department for Medicaid Services, including the Michelle P.*  
20 *waiver provider application process.*

21 *(2) The cabinet shall apply for and implement a Medicaid state plan benefit to*  
22 *establish health homes to coordinate care for people with Medicaid who have*  
23 *chronic conditions under 42 U.S.C. sec. 1396w-4; and*

24 *(3) The cabinet shall promulgate administrative regulations to implement this*  
25 *section.*