

1 A JOINT RESOLUTION directing the Cabinet for Health and Family Services to
2 study community-based supportive service options for individuals with a history of
3 aggressive behavior or aggressive sexual behavior.

4 WHEREAS, healthcare facilities in the Commonwealth are encountering a growing
5 number of individuals with disabilities who are in need of community-based services; and

6 WHEREAS, a significant number of these individuals present with a prior history
7 of aggressive behavior or aggressive sexual behavior; and

8 WHEREAS, hospitals across the Commonwealth struggle to efficiently treat and
9 discharge these individuals who have a prior history of aggressive behavior or aggressive
10 sexual behaviors due to a lack of access to appropriate discharge environments; and

11 WHEREAS, some hospitals have reported hospital stays in excess of 18 months for
12 individuals in this patient population; and

13 WHEREAS, the overcrowding of the Commonwealth's hospitals by this difficult to
14 treat and discharge population has resulted in other patients being held in emergency
15 departments due to a lack of available in-patient beds; and

16 WHEREAS, the Commonwealth's Supports for Community Living 1915(c) Home
17 and Community Based waiver program currently provides adult foster care and adult day
18 services for individuals with intellectual disabilities; and

19 WHEREAS, community environment options like those that are currently provided
20 under the Supports for Community Living waiver may offer an opportunity to help
21 alleviate the overcrowding challenges facing our local hospitals; and

22 WHEREAS, community environment options also offer an opportunity for
23 treatment with home providers as opposed to institutionalization; and

24 WHEREAS, appropriate access to community environment treatment options has
25 the potential to generate a significant cost savings for healthcare payors, including the
26 state;

27 NOW, THEREFORE,

1 ***Be it resolved by the General Assembly of the Commonwealth of Kentucky:***

2 ➔Section 1. The Cabinet for Health and Family Services is hereby directed to
3 study the treatment options and payor sources available for individuals with a prior
4 history of aggressive behavior or aggressive sexual behavior.

5 ➔Section 2. At a minimum, the study shall:

6 (1) Analyze the extent to which this patient population causes overcrowding in
7 local hospitals;

8 (2) Identify appropriate long-term care, treatment, and community-based
9 supportive service options for individuals in this patient population who are in need of
10 on-going care;

11 (3) Consider service options available through the Commonwealth's current
12 1915(c) Medicaid waivers that may be appropriate for this patient population; and

13 (4) Assess the need for amendments to the Commonwealth's Medicaid State Plan
14 or current waivers to ensure access to appropriate on-going treatment and community-
15 based supportive service options for this patient population.

16 ➔Section 3. The Cabinet for Health and Family Services shall make
17 recommendations regarding access to care, treatment, and community-based supportive
18 services for this patient population to the Interim Joint Committee on Health Services no
19 later than December 1, 2024.