

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 965, Page 7, Section 208.686, Line 52, by  
2 inserting immediately after said line the following:

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4 "208.896. 1. To ensure the availability of comprehensive and cost-effective choices for MO  
5 HealthNet recipients to live at home in the communities of their choice and to receive support from  
6 caregivers of their choice, structured family caregiving shall be added as a covered home- and  
7 community-based waiver service in the Missouri aged and disabled adult waiver and the independent  
8 living waiver, subject to federal approval of the waiver amendments which are necessary to  
9 implement the provisions of this section.

10 2. The addition of structured family caregiving as a covered home- and community-based  
11 waiver service in the Missouri aged and disabled adult waiver and the independent living waiver  
12 shall include:

13 (1) A choice for participants of qualified and credentialed caregivers including family  
14 caregivers;

15 (2) A choice for participants of community settings in which they receive structured family  
16 caregiving. A caregiver may provide structured family caregiving services in the caregiver's home  
17 or the participant's home;

18 (3) A requirement that all organizations serving as structured family caregiving agencies are  
19 considered home- and community-based care providers, and are accountable for quality, including  
20 qualification and requalification of caregivers and homes, professional staff support for eligible  
21 seniors, and deployment of electronic community care records, whenever possible; and

22 (4) A daily payment rate for services that is adequate to pay stipends to caregivers and pay  
23 provider agencies for the cost of providing professional staff support as required under this section.

24 4. (1) Within thirty days of the effective date of this section, the MO HealthNet division  
25 shall, if necessary to implement the provisions of this section, apply to the United States Secretary of  
26 Health and Human Services for an amendment to the aged and disabled adult waiver and the  
27 independent living waiver for the purpose of including structured family caregiving as a covered  
28 service for eligible home- and community-based waiver recipients. The division shall request an  
29 effective date of not later than July 1, 2016, and shall, by such date, take all administrative actions  
30 necessary to ensure time and equitable availability of structured family caregiving services for home-  
31 and community-based care recipients.

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           (2) Upon receipt of an approved amended waiver under subdivision (1) of this subsection,  
2 the division shall promulgate rules to implement the provisions of this section. Any rule or portion  
3 of a rule, as that term is defined in section 536.010, that is created under the authority delegated in  
4 this section shall become effective only if it complies with and is subject to all of the provisions of  
5 chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and  
6 if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the  
7 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the  
8 grant of rulemaking authority and any rule proposed or adopted after August 28, 2015, shall be  
9 invalid and void."; and

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11 Further amend said bill by amending the title, enacting clause, and intersectional references  
12 accordingly.