

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 395

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES NANCE (Sponsor), NOLTE,
ATKINS AND DENISON (Co-sponsors).

1162L.01P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 208.819, RSMo, and to enact in lieu thereof one new section relating to MO HealthNet long-term care transition grants.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 208.819, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 208.819, to read as follows:

208.819. 1. **Subject to appropriations**, persons institutionalized in nursing homes who are [Medicaid] **MO HealthNet** eligible and who wish to move back into the community shall be eligible for a one-time [Missouri] transition [to independence] grant. The [Missouri] transition [to independence] grant shall be limited to up to [fifteen] **twenty-four** hundred dollars to offset the initial down payments [and] , setup costs, **and other expenditures** associated with housing a **senior or** person with disabilities **needing home and community-based services** as such person moves out of a nursing home. Such grants shall be established and administered by the division of [vocational rehabilitation] **senior and disability services** in consultation with the department of social services. The division of [vocational rehabilitation] **senior and disability services** and the department of social services shall cooperate in actively seeking federal and private grant moneys to **further** fund this program; except that, such federal and private grant moneys shall not limit the general assembly's ability to appropriate moneys for the [Missouri] transition [to independence] grants.

2. The [division of medical services within the department of social services, the] department of health and senior services and the [division of vocational rehabilitation within the

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 department of elementary and secondary education] **department of mental health** shall work
17 together to develop information and training on community-based service options for residents
18 transitioning into the community[. Representatives of disability-related community
19 organizations shall complete such training before initiating contact with institutionalized
20 individuals] **and shall promulgate rules as necessary. Any rule or portion of a rule, as that**
21 **term is defined in section 536.010, RSMo, that is created under the authority delegated in**
22 **this section shall become effective only if it complies with and is subject to all of the**
23 **provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section**
24 **and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general**
25 **assembly pursuant to chapter 536, RSMo, to review, to delay the effective date, or to**
26 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**
27 **rulemaking authority and any rule proposed or adopted after August 28, 2009, shall be**
28 **invalid and void.**

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