

CAREGIVER COMPENSATION AMENDMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne A. Harper

House Sponsor: Christine F. Watkins

LONG TITLE

General Description:

This bill addresses reimbursement for certain personal care services under Medicaid.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ directs the Department of Health to apply for an amendment to an existing waiver to the state Medicaid plan to implement a program to reimburse a parent or spouse who provides extraordinary personal care services to a waiver enrollee.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

26-18-419, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **26-18-419** is enacted to read:

26-18-419. Medicaid waiver expansion for extraordinary care reimbursement.

(1) As used in this section:



28 (a) "Child" means an individual aged 13 through 17.

29 (b) "CMS" means the Centers for Medicare and Medicaid Services within the United
30 States Department of Health and Human Services.

31 (c) "Personal care services" means the same as that term is defined in 42 U.S.C. Sec.
32 1397g(b)(6)(B).

33 (d) "Waiver enrollee" means an individual enrolled in a home and community-based
34 services waiver in the state.

35 (2) Before July 1, 2019, the department shall apply to CMS for a state Medicaid plan
36 amendment to implement the program described in Subsection (3).

37 (3) If CMS approves the state plan amendment described in Subsection (2), the
38 department shall develop a program to offer reimbursement to an individual who provides
39 personal care services that constitute extraordinary care to a waiver enrollee who is the
40 individual's child or spouse.

41 (4) The department shall define the personal care services that constitute extraordinary
42 care by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
43 Act.