GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY

2015 REGULAR SESSION

HOUSE BILL NO. 144

TUESDAY, FEBRUARY 24, 2015

The following bill was reported to the Senate from the House and ordered to be printed.

RECEIVED AND FILED
DATE March 30, 2015
3:58 pm
ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY K. Adler

1 AN ACT relating to in-home care for elderly and disabled persons.

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 Department for Medicaid Services shall submit a waiver or waiver***

6 ***amendment for approval to the Centers for Medicare and Medicaid Services in***

7 ***order to establish the Hospital-to-Home Transition Program to provide coverage***

8 ***for services provided by an approved Medicaid waiver provider to elderly and***

9 ***physically disabled persons over the age of eighteen (18) years. The program***

10 ***shall provide coverage for up to sixty (60) days for services not otherwise provided***

11 ***as part of the Medicaid essential benefits coverage in order to assist waiver***

12 ***applicants while transitioning from an institutional setting to their home or to a***

13 ***community setting.***

14 ***(2) The Hospital-to-Home Transition Program shall provide nonmedical support***

15 ***services to applicants including but not limited to:***

16 ***(a) Adult day care services;***

17 ***(b) Attendant services;***

18 ***(c) Home-delivered meal services; and***

19 ***(d) Transportation services.***

20 ***(3) The daily cost of services covered by the Hospital-to-Home Transition Program***

21 ***shall be less than the average daily Medicaid payment for a stay at a nursing***

22 ***facility.***

23 ***(4) An applicant shall be eligible for the Hospital-to-Home Transition Program if the***

24 ***applicant:***

25 ***(a) Is determined to be functionally eligible for services in his or her home or***

26 ***community setting; and***

27 ***(b) Has a pending application for Medicaid waiver services provided that he or***

1 she complies with all other medical assistance application requirements.
2 (5) The cabinet shall develop a screening tool to determine whether an applicant
3 meets the eligibility criteria under subsection (4) of this section for the Hospital-
4 to-Home Transition Program. The screening tool shall include but not be limited
5 to the following:
6 (a) Procedures for determining whether an applicant is functionally able to live
7 at home or in a community setting;
8 (b) Procedures for determining financial eligibility;
9 (c) Procedures to address patient treatment preferences; and
10 (d) Procedures to address patient goals of care and family caregiver concerns.
11 (6) An applicant for the program shall:
12 (a) Sign a written agreement attesting to the accuracy of the financial and
13 other information that the applicant provides; and
14 (b) Complete a Medicaid application on the date the applicant is screened for
15 functional eligibility or not later than ten (10) days from the screening.
16 (7) The cabinet shall make the Medicaid level of care final determination of
17 eligibility for Medicaid and Medicaid waiver services by sixty (60) days following
18 an eligible applicant's discharge from an institutional setting to a home or
19 community setting.
20 (8) The cabinet shall request funding to support the waiver program. Not later than
21 July 1, 2016, subject to appropriations provided by the General Assembly and
22 approval of the waiver or waiver amendment from the Centers for Medicare and
23 Medicaid Services, the cabinet shall initiate the Hospital-to-Home Transition
24 Program as described in this section.
25 (9) The Department for Medicaid Services shall promulgate administrative
26 regulations to implement this section.

Speaker-House of Representatives

President of Senate

Attest: Chief Clerk of House of Representatives

Approved Governor

Date 3/30/15