

1 A RESOLUTION urging the Kentucky Department for Medicaid Services to
2 initiate communication with the Commonwealth's neighboring states regarding the
3 possibility of establishing and entering into an interstate compact with the
4 Commonwealth of Kentucky to permit 1915(c) Home and Community-Based Medicaid
5 waiver services beneficiaries to receive covered waiver services in any of the compact
6 states.

7 WHEREAS, the Kentucky Department for Medicaid Services currently operates
8 three 1915(c) Home and Community-Based Services (HCBS) waivers for individuals
9 with intellectual and developmental disabilities; and

10 WHEREAS, more than 20,000 residents of the Commonwealth are enrolled in these
11 waiver programs; and

12 WHEREAS, an additional 10,000 Kentuckians are currently on waiting lists for
13 enrollment in 1915(c) HCBS waiver programs; and

14 WHEREAS, the Kentucky General Assembly has taken steps to increase
15 reimbursement rates to help mitigate the staffing shortage that contributes to the waiver
16 waitlist; and

17 WHEREAS, Kentucky's community-based HCBS waiver service providers have
18 struggled for years to recruit and retain qualified direct support professionals (DSP) and
19 other critical staff to provide services to individuals with intellectual and developmental
20 disabilities; and

21 WHEREAS, the COVID-19 pandemic had a significant impact on Kentucky's
22 system of community-based care providers by depleting the state's DSP workforce; and

23 WHEREAS, more than 40 percent of Kentucky's 120 counties border another state;
24 and

25 WHEREAS, many residents in Kentucky's border counties regularly receive
26 healthcare services in bordering states; and

27 WHEREAS, current federal regulations prohibit Medicaid beneficiaries, in nearly

1 all instances, including those enrolled in a 1915(c) HCBS waiver program, from
2 receiving care outside of their home state except in emergency situations; and

3 WHEREAS, Medicaid beneficiaries are denied access to care in bordering states;

4 NOW, THEREFORE,

5 *Be it resolved by the House of Representatives of the General Assembly of the*
6 *Commonwealth of Kentucky:*

7 ➔Section 1. This honorable body respectfully urges the Kentucky Department for
8 Medicaid Services to initiate communication with the Commonwealth's neighboring
9 states regarding the possibility of establishing and entering into an interstate compact
10 with the Commonwealth of Kentucky to permit 1915(c) Home and Community-Based
11 Medicaid waiver services beneficiaries to receive covered waiver services in any of the
12 compact states.

13 ➔Section 2. The Clerk of the House of Representatives is directed to transmit a
14 copy of this Resolution to Representative Rachel Roarx; Governor Andy Beshear, State
15 Capitol, Room 100, Frankfort, Kentucky 40601; the Secretary of the Cabinet for Health
16 and Family Services, Eric Friedlander, 275 East Main Street, Frankfort, Kentucky 40621;
17 and Commissioner of the Department for Medicaid Services, Lisa Lee, 275 East Main
18 Street, Frankfort, Kentucky 40621.