
SENATE COMMITTEE AMENDMENTS

2021 Regular Session

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 204 by Representative Turner

1 AMENDMENT NO. 1

2 On page 2, line 2, after "disabilities" insert "or to the elderly"

3 AMENDMENT NO. 2

4 On page 2, line 3, delete "which involves" and insert "who is involved in"

5 AMENDMENT NO. 3

6 On page 2, delete lines 9 through 17 and insert the following:

7 "(4) "Individual and family support services" means Medicaid funded
8 direct support and assistance provided to a service recipient in the recipient's
9 home or in the community to allow the service recipient to achieve or
10 maintain increased independence, productivity, enhanced family functioning,
11 and inclusion in the community to the same degree as individuals without
12 disabilities.

13 (5) "Long-term personal care services" means Medicaid state plan
14 personal care services operated by the department through the office of aging
15 and adult services."

16 AMENDMENT NO. 4

17 On page 2, line 26, delete "In" and insert "A. Except as provided in Subsection B of this
18 Section, in"

19 AMENDMENT NO. 5

20 On page 3, between lines 2 and 3, insert the following:

21 "B. The department may limit the number of individual and family
22 support service hours that a direct service worker works in a twenty-four
23 hour period if the department determines that the service recipient's health or
24 safety is at risk."

25 AMENDMENT NO. 6

26 On page 3, line 3, strike through "and LT-PCS".

27 AMENDMENT NO. 7

28 On page 3, line 7, strike through "or LT-PCS".

29 AMENDMENT NO. 8

30 On page 3, delete line 13 and insert the following:

31 "(a) When authorized by the regional waiver office."

32 AMENDMENT NO. 9

33 On page 3, between lines 24 and 25 insert the following:

1 "D. The department may prohibit a family member from being a
2 direct service worker or prohibit a paid family caregiver from living in the
3 same setting as a service recipient if the department determines that the
4 service recipient's health or safety is at risk or if fraud, waste, or abuse has
5 been identified.

6 E. Individual and family support services may be used to provide
7 relief to the primary caregiver but shall not be used to supplant primary care
8 available to the service recipient through natural and community supports."

9 AMENDMENT NO. 10

10 On page 3, line 25, change "LT-PCS" to "long-term personal care services"

11 AMENDMENT NO. 11

12 On page 3, line 27, change "LT-PCS" to "long-term personal care services"

13 AMENDMENT NO. 12

14 On page 4, line 4, change "LT-PCS" to "long-term personal care services"

15 AMENDMENT NO. 13

16 On page 4, delete line 9

17 AMENDMENT NO. 14

18 On page 4, line 10, change "(5)" to "(4)"

19 AMENDMENT NO. 15

20 On page 4, line 11, after "visit" delete the remainder of the line and delete line 12 and insert
21 the following:

22 "by a support coordinator and personal care attendant supervisor no less than
23 every six months. A face-to-face visit by a support coordinator and a
24 personal care attendant supervisor shall be required quarterly for those
25 service recipients identified by the department."

26 AMENDMENT NO. 16

27 On page 4, line 15, after "Section." delete the remainder of the line and delete lines 16
28 through 21 and insert the following:

29 "§1250.35. Rulemaking; federal approval

30 A. The department shall promulgate rules in accordance with the
31 Administrative Procedure Act necessary to implement the provisions of this
32 Part.

33 B. The provisions of this Part shall be subject to the approval of the
34 Centers for Medicare and Medicaid Services. Any provision in this Part that
35 is or becomes contrary to federal law, regulation, process, or policy or that
36 would result in the loss of federal financial participation shall be void."