

2021 -- H 5115

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LC000463  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- HOME COMMUNITY CARE  
SERVICES TO THE ELDERLY

Introduced By: Representatives Solomon, and McNamara

Date Introduced: January 25, 2021

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-66.3-4 of the General Laws in Chapter 42-66.3 entitled "Home  
2 and Community Care Services to the Elderly" is hereby amended to read as follows:

3 **42-66.3-4. Persons eligible.**

4 (a) To be eligible for this program the client must be determined, through a functional  
5 assessment, to be in need of assistance with activities of daily living or and/or must meet a required  
6 level of care as defined in rules and regulations promulgated by the department;

7 (b) Medicaid eligible individuals age sixty-five (65) or older of the state who meet the  
8 financial guidelines of the Rhode Island medical assistance program, as defined in rules and  
9 regulations promulgated by the department, shall be provided the services without charge; or

10 (c) Persons eligible for assistance under the provisions of this section, subject to the annual  
11 appropriations deemed necessary by the general assembly to carry out the provisions of this chapter,  
12 include: (1) any homebound unmarried resident or homebound married resident of the state living  
13 separate and apart, who is ineligible for Medicaid, at least sixty-five (65) years of age or, if under  
14 sixty-five (65) years of age, has a diagnosis of Alzheimer's disease or a related dementia confirmed  
15 by a licensed physician, ~~ineligible for Medicaid~~, and whose income does not exceed ~~the income~~  
16 ~~eligibility limits as defined by rules and regulations promulgated by the department~~ two hundred  
17 fifty percent (250%) of the federal poverty level; and (2) any married resident of the state who is  
18 ineligible for Medicaid, at least sixty-five (65) years of age, ~~ineligible for Medicaid~~, or, if under

1 sixty-five (65) years of age, has a diagnosis of Alzheimer's disease or a related dementia confirmed  
2 by a licensed physician and whose income when combined with any income of that person's spouse  
3 does not exceed two hundred fifty percent (250%) of the federal poverty level ~~the income eligibility~~  
4 ~~limits as defined in rules and regulations promulgated by the department~~. Persons who meet the  
5 eligibility requirement of this subsection shall be eligible for the co-payment portion as set forth in  
6 § 42-66.3-5.

7 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- HOME COMMUNITY CARE  
SERVICES TO THE ELDERLY

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1           This act would extend eligibility of the Home Community Care Services Program to  
2 persons under the age of sixty-five (65) suffering from Alzheimer's disease or a related dementia  
3 confirmed by a licensed physician with income not exceeding two hundred fifty percent (250%) of  
4 the federal poverty level.

5           This act would take effect upon passage.

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