

1 **2SHB 1908** - H AMD

2 By Representative Dyer

3 On page 33, after line 15, insert the following:

4
5 "NEW SECTION. **Sec. 45.** A new section is added to chapter
6 74.39A RCW to read as follows:

7 The legislature intends that any staff reassigned by the
8 department of social and health services as a result of shifting of
9 the reauthorization responsibilities by contract outlined in this
10 section, shall be dedicated for discharge planning and assisting
11 with discharge planning and information on existing discharge
12 planning cases. Discharge planning, as directed in this section,
13 is intended for residents and patients identified by the hospital
14 or long-term care institution for discharge to long-term care. The
15 purpose of discharge planning is to protect residents and patients
16 from the financial incentives inherent in keeping residents or
17 patients in a more expensive higher level of care and shall focus
18 on care options that are in the best interest of the patient or
19 resident.

20 The department shall contract with area agencies on aging:

21 (1) To provide case management services to individuals
22 receiving long-term care services in their own home; and

23 (2) To reassess and reauthorize long-term care services in
24 home or in other settings for individuals consistent with the
25 intent of this section:

26 (a) Who have been initially authorized by the department to
27 receive long-term care services; and

28 (b) Who, at the time of reassessment and reauthorization, are
29 receiving long-term care services in their own home.

1 (3) In the event that an area agency on aging is unwilling to
2 enter into or satisfactorily fulfill a contract to provide these
3 services, the department is authorized to:

4 (a) Obtain the services through competitive bid; and

5 (b) Provide the services directly until a qualified contractor
6 can be found.

7
8 **Sec. 46.** RCW 74.09.520 and 1994 c 21 s 4 are each amended to
9 read as follows:

10 (1) The term "medical assistance" may include the following
11 care and services: (a) Inpatient hospital services; (b) outpatient
12 hospital services; (c) other laboratory and x-ray services; (d)
13 nursing facility services; (e) physicians' services, which shall
14 include prescribed medication and instruction on birth control
15 devices; (f) medical care, or any other type of remedial care as
16 may be established by the secretary; (g) home health care services;
17 (h) private duty nursing services; (i) dental services; (j)
18 physical and occupational therapy and related services; (k)
19 prescribed drugs, dentures, and prosthetic devices; and eyeglasses
20 prescribed by a physician skilled in diseases of the eye or by an
21 optometrist, whichever the individual may select; (l) personal care
22 services, as provided in this section; (m) hospice services; (n)
23 other diagnostic, screening, preventive, and rehabilitative
24 services; and (o) like services when furnished to a child by a
25 school district in a manner consistent with the requirements of
26 this chapter. For the purposes of this section, the department may
27 not cut off any prescription medications, oxygen supplies,
28 respiratory services, or other life-sustaining medical services or
29 supplies.

30 "Medical assistance," notwithstanding any other provision of
31 law, shall not include routine foot care, or dental services
32 delivered by any health care provider, that are not mandated by

1 Title XIX of the social security act unless there is a specific
2 appropriation for these services.

3 (2) The department shall amend the state plan for medical
4 assistance under Title XIX of the federal social security act to
5 include personal care services, as defined in 42 C.F.R. 440.170(f),
6 in the categorically needy program.

7 (3) The department shall adopt, amend, or rescind such
8 administrative rules as are necessary to ensure that Title XIX
9 personal care services are provided to eligible persons in
10 conformance with federal regulations.

11 (a) These administrative rules shall include financial
12 eligibility indexed according to the requirements of the social
13 security act providing for medicaid eligibility.

14 (b) The rules shall require clients be assessed as having a
15 medical condition requiring assistance with personal care tasks.
16 Plans of care must be (~~approved and~~) reviewed by a nurse.

17 (4) The department shall design and implement a means to
18 assess the level of functional disability of persons eligible for
19 personal care services under this section. The personal care
20 services benefit shall be provided to the extent funding is
21 available according to the assessed level of functional disability.
22 Any reductions in services made necessary for funding reasons
23 should be accomplished in a manner that assures that priority for
24 maintaining services is given to persons with the greatest need as
25 determined by the assessment of functional disability.

26 (5) The department shall report to the appropriate fiscal
27 committees of the legislature on the utilization and associated
28 costs of the personal care option under Title XIX of the federal
29 social security act, as defined in 42 C.F.R. 440.170(f), in the
30 categorically needy program. This report shall be submitted by
31 January 1, 1990, and submitted on a yearly basis thereafter.

32 (6) Effective July 1, 1989, the department shall offer hospice
33 services in accordance with available funds.

1 (7) For Title XIX personal care services administered by aging
2 and adult services administration of the department, the department
3 shall contract with area agencies on aging:

4 (a) To provide case management services to individuals
5 receiving Title XIX personal care services in their own home; and

6 (b) To reassess and reauthorize Title XIX personal care
7 services or other long-term care services as defined in section 1
8 of this act in home or in other settings for individuals consistent
9 with the intent of this section:

10 (i) Who have been initially authorized by the department to
11 receive Title XIX personal care services or other long-term care
12 services as defined in section 1 of this act; and

13 (ii) Who, at the time of reassessment and reauthorization, are
14 receiving such services in their own home.

15 (8) In the event that an area agency on aging is unwilling to
16 enter into or satisfactorily fulfill a contract to provide these
17 services, the department is authorized to:

18 (a) Obtain the services through competitive bid; and

19 (b) Provide the services directly until a qualified contractor
20 can be found."

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22
23 Renumber remaining sections consecutively, correct internal
24 references, and correct the title accordingly.

EFFECT: Authorizes the Department of Social and Health Services to contract with Area Agencies on Aging or obtain services through competitive bid to reauthorize clients for long-term care services. Specificize the terms and conditions of assistance for long-term care discharge planning.