HOUSE RESEARCH

Bill Summary

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Overview

This bill requires the commissioner of human services to amend the community alternative care waiver (CAC) to allow spouses to provide private duty nursing care. The CAC waiver allows home and community-based services not normally covered under Medical Assistance to be provided to individuals under age 65 who would otherwise require hospitalization.

1 **Spousal nursing services.** Requires the commissioner of human services to seek to amend the CAC waiver to include payment for spouses providing private duty nursing care. Allows this care to be provided by a spouse who is a licensed nurse employed by a Medicare certified home health agency, in cases of: (1) a lack of qualified providers or private duty nurses and; (2) to prevent hospitalization of the recipient. Sets limits on the maximum hours of private duty nursing care that can be provided and requires the spouse to continue to serve as the emergency backup caregiver and primary caregiver. Specifies that the waiver interdisciplinary team is to recommend to the commissioner whether the care provided by a spouse if appropriate, and prohibits reimbursement if the spouse fails to pass a criminal background check or if the home health agency or the waiver case manager determines that the care provided by the spouse is unsafe. Specifies that the subdivision is effective upon the date of federal approval.