

1 HOUSE BILL NO. 1318  
 2 AMENDMENT IN THE NATURE OF A SUBSTITUTE  
 3 (Proposed by the House Committee on Health and Human Services  
 4 on \_\_\_\_\_)  
 5 (Patrons Prior to Substitute--Delegates Cole and Wilt [HB 1282])

6 A BILL to direct the Department of Medical Assistance Services and the Department of Behavioral Health  
 7 and Developmental Services to submit state plan amendments to the Centers for Medicare and  
 8 Medicaid Services to seek to modify the program rules for certain 1915(c) Home and Community-  
 9 Based Services Medicaid Waivers.

10 **Be it enacted by the General Assembly of Virginia:**

11 1. § 1. That the Department of Medical Assistance Services (DMAS) and the Department of Behavioral  
 12 Health and Developmental Services (DBHDS) shall submit state plan amendments to the Centers for  
 13 Medicare and Medicaid Services to seek to modify the program rules for the following 1915(c) Home and  
 14 Community-Based Services Medicaid Waivers: Community Living Waiver, Family and Individual  
 15 Supports Waiver, and Commonwealth Coordinated Care Plus Waiver. DMAS and DBHDS shall submit  
 16 state plan amendments to the Centers for Medicare and Medicaid Services to eliminate the requirement  
 17 under such waivers that in order for a legally responsible individual to receive reimbursement for personal  
 18 care services, no one else be available to provide such services to the Medicaid member.

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