

HOUSE BILL NO. 1064

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health and Human Services

on _____)

(Patron Prior to Substitute--Delegate Willett)

A BILL to require the Department of Medical Assistance Services to seek the appropriate authority to add neurobehavioral and neurorehabilitation facilities and to submit an amendment to the state plan for medical assistance services to the Centers for Medicare and Medicaid Services to implement a waiver for individuals with traumatic brain injuries and neurocognitive diagnoses.

Be it enacted by the General Assembly of Virginia:

1. § 1. That the Department of Medical Assistance Services (the Department) shall seek the appropriate authority to add neurobehavioral and neurorehabilitation facilities to support individuals with traumatic brain injuries and neurocognitive disorders by January 1, 2025. The neurobehavioral and neurorehabilitation facilities shall be considered as an alternative institutional placement for individuals requiring traumatic brain injury 1915(c) home and community-based services waiver services. The Department shall set service definitions, administrative structure, eligibility criteria, eligibility and enrollment processes, and reimbursement rates required for administration of a program for such facilities.

§ 2. That the Department shall submit an amendment to the Centers for Medicare and Medicaid Services to modify its existing 1915(c) waiver or seek a new waiver as necessary to receive federal approval to administer home and community-based services for qualifying individuals with traumatic brain injuries or neurocognitive disorders as defined by the Department no later than January 1, 2026. The Department shall set service definitions, administrative structure, eligibility criteria, eligibility and enrollment processes, and reimbursement rates required for administration of the waiver.

§ 3. That the Department shall have authority to promulgate emergency regulations for the neurobehavioral and neurorehabilitation facilities and the traumatic brain injury services waiver upon approval.

