

HOUSE BILL NO. 908

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Education and Health

on February 22, 2024)

(Patron Prior to Substitute--Delegate Shin)

A BILL to require the Department of Medical Assistances Services to amend the financial eligibility standards for certain waivers providing services to individuals with developmental disabilities.

Be it enacted by the General Assembly of Virginia:

1. § 1. The Department of Medical Assistance Services (the Department) shall amend the financial eligibility standards for individuals receiving services under the Family and Individual Support Waiver, Community Living Waiver, and Building Independence Waiver (the DD Waivers). When determining financial eligibility for the DD Waivers, the Department shall disregard any Social Security Disability Insurance (SSDI) income above the maximum monthly Supplemental Security Income as determined by the Social Security Administration. Such SSDI income shall not be disregarded for purposes of determining an individual's patient pay obligation.

2. That the provisions of the first enactment of this act shall not continue to be effective unless reenacted by the 2025 session of the General Assembly.

3. That the Department of Medical Assistance Services (the Department) shall analyze the implications of amending the financial eligibility standards for individuals receiving services under the Family and Individual Support Waiver, Community Living Waiver, and Building Independence Waiver, so that Social Security Disability Insurance income is disregarded by the Department when calculating such individuals' financial eligibility for such waivers. The analysis shall determine the costs and the number of individuals who would benefit from amending the financial eligibility standards. The Department shall provide a report of its findings to the Chairmen of the Senate Committees on Education and Health and Finance and Appropriations and the House Committees on Health and Human Services and Appropriations no later than November 1, 2024.

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