



SENATE BILL 105: 2021 Appropriations Act, Sec. 9D.8A: Creation of the HCBS Fund

2021-2022 General Assembly

Committee:		Date:	February 22, 2022
Introduced by:		Prepared by:	Jennifer Hillman Staff Attorney
Analysis of:	Sec. 9D.8A of S.L. 2021-180		

OVERVIEW: Section 9D.8A of S.L. 2021-180 creates the HCBS Fund and directs the Division of Health Benefits (DHB), Department of Health and Human Services, to deposit into the HCBS Fund the savings associated with federal receipts from the enhanced federal medical assistance percentage for home and community-based services (HCBS) available to the State under the American Rescue Plan Act. Funds deposited in the HCBS Fund must be used for:

- Additional slots to serve individuals through the Innovations waiver and the Community Alternatives Program for Disabled Adults (CAP/DA) waiver as required by Section 9D.11 and 9D.12 of the act.
- Medicaid rate increases to HCBS providers to be used for wage increases for direct care workers required by Section 9D.15A of the act.
- The increase to the Medicaid rate paid for private duty nursing services required by Section 9D.15B of the act.
- The costs of the changes to the State-County Special Assistance program required by Section 9A.3A of the act.
- The cost of Medicaid services provided to individuals participating in the Transitions to Community Living Initiative.
- Other projects to enhance, expand, or strengthen HCBS services that neither requires recurring funds nor would become part of the Medicaid annual rebase.

DHB is authorized to use the funds in the HCBS Fund during the 2021-2022 fiscal biennium but must ensure that at least \$97,600,000 remains in the HCBS Fund for use in the next biennium.

This section became effective July 1, 2021, and expires June 30, 2025.

Jeffrey Hudson
Director



Legislative Analysis
Division
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