



Legislative Council Staff

Research Note

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Bill Number

House Bill 16-1195

Sponsors

**Representatives Landgraf & Young
Senators Crowder & Steadman**

Short Title

Home Modification Services In Medicaid Waivers

Research Analyst

Amanda King (x4332)

Status

This bill was postponed indefinitely by the Senate Appropriations Committee on April 29, 2016.

Summary

The bill expands access to home modification services for Medicaid clients receiving home- and community-based services under the Elderly, Blind, and Disabled Waiver Program, the Persons with Brain Injury Waiver Program, the Community Mental Health Supports Waiver, and the Waiver for Persons with Spinal Cord Injury. First, "home modifications services" is defined to include home installations or adaptions related to any disability that allow an eligible person to remain in the home. Under current law, home modification services are only available for persons with physical impairments. Second, subject to federal approval, the bill specifies that the individual cap on the amount of home modification services received by an eligible person resets upon renewal of the waiver authorizing the services.

Background

A Medicaid waiver is a detailed agreement between federal Centers for Medicare and Medicaid Services and a state that allows the state to expand Medicaid coverage by exempting the state from specific provisions of the federal Medicaid law. Colorado currently administers 11 Home- and Community-Based Services (HCBS) waiver programs. The HCBS waiver for persons who are elderly, blind, and disabled provides additional services intended to keep eligible clients in their homes and out of nursing facilities. The HCBS waiver for persons with brain injury provides additional services intended to keep persons with brain injury out of hospitals or specialized nursing facilities.

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Eligibility for home modifications under the HCBS waivers is based on the client's medical condition, and the home modifications must:

- be necessary to ensure the health, welfare and safety of the client;
- enable the client to function with greater independence in the home;
- be required due to the client's documented illness, impairment, or disability; and
- prevent institutionalization of the client.

Home modification, adaptations, or improvements may include, but are not limited to:

- installing or building ramps;
- modifying bathrooms;
- installing grab-bars and other durable medical equipment as part of a larger home modification project;
- widening doorways;
- modifying kitchen facilities; and
- installing specialized electric and plumbing systems that are necessary to accommodate medically necessary equipment and supplies.

Currently there is a \$10,000 lifetime maximum for the home modification benefit.

Per federal regulations, the HCBS waivers are valid for five years. The HCBS waiver for persons who are elderly, blind, and disabled and the HCBS waiver for persons with brain injury are due for renewal in FY 2018-19.

House Action

House Health, Insurance, and Environment Committee (February 25, 2016). At the hearing, representatives from Accessible Systems, the Arc of Colorado, Brain Injury Alliance, Colorado Cross-Disability Coalition, Colorado Long-Term Assistance Providers, Department of Health Care Policy and Financing, and National Multiple Sclerosis Society Colorado-Wyoming Chapter, and two private citizens testified in support of the bill. The committee adopted amendment L.001, and referred the bill, as amended, to the House Appropriations Committee.

Amendment L.001 expanded access to home modification services for Medicaid clients receiving home- and community-based services under the Community Mental Health Supports Waiver and the Waiver for Persons with Spinal Cord Injuries.

House Appropriations Committee (April 15, 2016). The committee adopted amendment J.001 and referred the bill to the House Committee of the Whole. The amendment adds an appropriation clause to the bill.

House second reading (April 15, 2016). The House adopted the House Health, Insurance, and Environment committee report and the House Appropriations committee report. The House passed the bill on second reading, as amended.

House third reading (April 18, 2016). The House passed the bill on third reading with no amendments.

Senate Action

Senate Health and Human Services Committee (April 27, 2016). At the hearing, representatives from the Arc of Colorado, Home Builders Foundation, and National Multiple

Sclerosis Society Colorado-Wyoming Chapter testified in support of the bill. The committee referred the bill, unamended, to the Senate Appropriations Committee.

Senate Appropriations Committee (April 29, 2016). The committee postponed the bill indefinitely.

Relevant Research

- Colorado Home and Community-based Services (HCBS) Medicaid Waivers: Adult Waivers, Department of Health Care Policy and Financing, December 2015. <http://1.usa.gov/1KvAj4J>