

2019 -- H 5566

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LC001704
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - HOME COMMUNITY CARE
SERVICES TO THE ELDERLY

Introduced By: Representatives Solomon, Vella-Wilkinson, Canario, Jackson, and
O'Brien

Date Introduced: February 27, 2019

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 42-66.3-4 of the General Laws in Chapter 42-66.3 entitled "Home
2 and Community Care Services to the Elderly" is hereby amended to read as follows:

3 **42-66.3-4. Persons eligible.**

4 (a) To be eligible for this program the client must be determined, through a functional
5 assessment, to be in need of assistance with activities of daily living or and/or must meet a
6 required level of care as defined in rules and regulations promulgated by the department;

7 (b) Medicaid eligible individuals age sixty-five (65) or older of the state who meet the
8 financial guidelines of the Rhode Island medical assistance program, as defined in rules and
9 regulations promulgated by the department, shall be provided the services without charge; or

10 (c) Persons eligible for assistance under the provisions of this section, subject to the
11 annual appropriations deemed necessary by the general assembly to carry out the provisions of
12 this chapter, include: (1) any homebound unmarried resident or homebound married resident of
13 the state living separate and apart, who is ineligible for Medicaid, at least sixty-five (65) years of
14 age or, if under sixty-five (65) years of age, have a diagnosis of Alzheimer's disease or a related
15 dementia confirmed by a licensed physician; ~~ineligible for Medicaid~~, and whose income does not
16 exceed ~~the income eligibility limits as defined by rules and regulations promulgated by the~~
17 ~~department~~ two hundred fifty percent (250%) of the federal poverty level, and (2) any married
18 resident of the state who is ineligible for Medicaid, at least sixty-five (65) years of age, ~~ineligible~~

1 ~~for Medicaid, or, if under sixty-five (65) years of age, have a diagnosis of Alzheimer's disease or~~
2 ~~a related dementia confirmed by a licensed physician;~~ and whose income when combined with
3 any income of that person's spouse does not exceed two hundred fifty percent (250%) of the
4 federal poverty level ~~the income eligibility limits as defined in rules and regulations promulgated~~
5 ~~by the department.~~ Persons who meet the eligibility requirement of this subsection shall be
6 eligible for the co-payment portion as set forth in § 42-66.3-5.

7 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT - HOME COMMUNITY CARE
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1 This act would expand the number of persons eligible for assistance for elderly services
2 to include those persons under the age of sixty-five (65) suffering from Alzheimer's disease or a
3 related dementia confirmed by a licensed physician with income not exceeding two hundred fifty
4 percent (250%) of the federal poverty level.

5 This act would take effect upon passage.

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