

SENATE BILL 718

By Green

AN ACT to amend Tennessee Code Annotated, Title 33, Chapter 5 and Title 71, Chapter 5, relative to home and community-based services for certain persons with intellectual disabilities.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 33, Chapter 5, Part 1, is amended by adding the following new section to be appropriately designated:

(a) A dependent of a military service member who is a legal resident of this state, having previously been determined to be eligible for intellectual disability services provided by the department of intellectual and developmental disabilities, including waiver services provided under the home and community-based services programs authorized under Section 1915(c) of the federal Social Security Act, shall retain eligibility for those intellectual disability services as long as the dependent remains a legal resident of the state, regardless of having left the state due to the military service member's military assignment outside this state, and as long as the dependent is otherwise eligible for the services.

(b) The department of intellectual and developmental disabilities shall permit a dependent who resides out of state to be placed on the waiting list for intellectual disability services, if the dependent left this state due to the military service member's military assignment outside this state.

(c) For dependents who received intellectual disability services and who left this state due to the military service member's military assignment outside this state, upon the dependent's return to this state and when a request for services is made, the department shall resume services if the dependent remains eligible.

(d) For the purposes of this section, "legal resident" means a person who maintains this state as the person's principal establishment, home of record, or permanent home and to where, whenever absent due to military obligation, the person intends to return.

SECTION 2. This act shall take effect July 1, 2015, the public welfare requiring it.