

SECOND REGULAR SESSION

# HOUSE BILL NO. 2559

## 94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MCGHEE.

Read 1st time April 1, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

5610L.01I

### AN ACT

To amend chapter 208, RSMo, by adding thereto one new section relating to services for adults with mental retardation and developmental disabilities.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 208, RSMo, is amended by adding thereto one new section, to be  
2 known as section 208.231, to read as follows:

- 208.231. 1. The MO HealthNet division within the department of social services  
2 shall apply to the federal Department of Health and Human Services to expand the Sarah  
3 Jian Medicaid waiver for children with developmental disabilities to include adults with  
4 mental retardation and developmental disabilities. The waiver shall allow for the  
5 disregard of parental income and resources for eligible permanently and totally disabled  
6 adults living with their parents who otherwise would require services at an institution.
- 7 2. An adult shall be eligible for services if such person:
- 8 (1) Is eighteen years of age or older;
- 9 (2) Lives with his or her parents;
- 10 (3) Is ineligible for MO HealthNet benefits based on the consideration of parental  
11 income and resources;
- 12 (4) Has a permanent and total disability that requires habilitative services and the  
13 adult's spouse is not a paid caregiver; and
- 14 (5) Would otherwise require services at an institution.
- 15 3. Eligibility under the waiver shall be based on the following guidelines:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16           **(1) The income and resources of the adult does not exceed the financial guidelines**  
17 **of the MO HealthNet program;**

18           **(2) The adult's condition meets the criteria established under the federal Medicaid**  
19 **program for permanent and total disability;**

20           **(3) The adult is certified to need the level of services provided by an intermediate**  
21 **care facility designed to treat mental retardation and developmental disabilities; and**

22           **(4) The cost of providing the needed services in the home is no greater than the cost**  
23 **of the services provided in an intermediate care facility.**

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