GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

H **D**

HOUSE DRH50186-MD-67 (03/15)

Short Title:	CAP-MR/DD Waiver Change/Residential Supports.	(Public)
Sponsors:	Representative Hurley.	
Referred to:		

A BILL TO BE ENTITLED

AN ACT TO DIRECT THE DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF MEDICAL ASSISTANCE, TO AMEND THE CAP-MR/DD WAIVER TO EXPAND THE TYPE OF FACILITIES IN WHICH A RECIPIENT MAY RECEIVE RESIDENTIAL SUPPORTS.

The General Assembly of North Carolina enacts:

SECTION 1. The Department of Health and Human Services, Division of Medical Assistance, shall amend the CAP-MR/DD Waiver to allow for all of the following:

(1) Current and future CAP-MR/DD recipients may elect to receive residential supports in a licensed residential setting with six or fewer beds, including a licensed alternative family living home, a licensed foster home, or an unlicensed alternative family living home that provides services to one adult.

(2) Current and future CAP-MR/DD recipients may elect to receive residential supports in a licensed residential setting with more than six beds if the recipient's plan of care clearly identifies and documents the unique circumstances requiring the recipient to live in a residential setting with more than six beds along with documentation that all other available options were explained and made available to the recipient during the person-centered planning process.

(3) Individuals currently residing in a licensed group home or a licensed adult care home with more than six beds, who were receiving services under the CAP-MR/DD Waiver on November 1, 2008, may elect to receive residential supports.

SECTION 2. If the Division requires approval from the Centers for Medicare and Medicaid Services (CMS) to implement the amendments to the CAP-MR/DD Waiver described in Section 1 of this act, it shall submit an application to CMS by August 1, 2011.

SECTION 3. This act is effective when it becomes law.