

Rule No. 560-X-52-.01 Authority and Purpose

(1) Home and community-based services for individuals with intellectual disabilities ~~the mentally retarded or related conditions~~ are provided by the Alabama Medicaid Agency to persons who are Medicaid-eligible under the waiver and who would, but for the provision of such services, require the level of care available in an intermediate care facility (ICF/IDMR) for individuals with intellectual disabilities ~~the mentally retarded~~. These services are provided through a Medicaid waiver under provisions of the Omnibus Budget Reconciliation Act of 1981, which added Section 1915(c) to the Social Security Act, for an initial period of three years and renewal periods of five years.

(2) Home and community-based services covered in this waiver are In-Home Residential Habilitation, Day Habilitation, Prevocational Services, Supported Employment, Supported Employment Emergency Transportation, Occupational Therapy, Speech and Language Therapy, Physical Therapy, Behavior Therapy, Respite Care, Personal Care Services, Personal Care Transportation, Environmental Accessibility Adaptations, Specialized Medical Equipment and Supplies, Skilled Nursing, Community Specialist Services, Individual Directed Goods and Services, and Crisis Intervention. These services provide assistance necessary to ensure optimal functioning of individuals with intellectual disabilities. ~~the mentally retarded or persons with related conditions~~.

(3) The Home and Community Based Living at Home Waiver is administered through a cooperative effort between the Alabama Medicaid Agency and the Alabama Department of Mental Health ~~and Mental Retardation~~ and is restricted to individuals with a diagnosis of an intellectual disability, ~~mental retardation or related condition~~, ages 3 and above, and those not residing in a group home situation. Priority access to the Living at Home Waiver shall be given to individuals on a verified waiting list.

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Statutory Authority: Social Security Act §1915(c); 42 C.F.R. Section 441, Subpart G—Home and Community-Based Services: Waiver Requirements.

History: New Rule: Filed September 20, 2002; effective December 26, 2002.

Amended: Filed April 21, 2014.