

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

(1) Home and ~~C~~community-~~B~~based ~~S~~services (HCBS) under the Home and Community-Based Living at Home (LAH) Waiver for individuals with intellectual disabilities 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 HCBS services, require the level of care available in an ~~I~~intermediate ~~C~~care ~~F~~facility (~~ICF/IID~~) for ~~I~~individuals with ~~I~~intellectual ~~D~~isabilities (~~ICF/IID~~). These HCBS services under the LAH Waiver 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) ~~The HCBS Home and community-based services~~ covered in the LAH this Wwaiver are ~~In-Home Residential Habilitation~~ Other Living Arrangement Services, Day Habilitation Services, Prevocational Services, Supported Employment Services, Occupational Therapy Services, Speech and Language Therapy Services, Physical Therapy Services, Positive Behavior Support Services, Respite Care Services, Personal Care Services, Environmental Accessibility Adaptations Services, ~~Supported Employment Emergency Transportation~~, ~~Occupational Therapy~~, ~~Speech and Language Therapy~~, ~~Physical Therapy~~, ~~Positive Behavior Support~~, ~~Respite Care~~, ~~Personal Care Services~~, ~~Personal Care Transportation~~, Environmental Accessibility Adaptations Services, Specialized Medical Supplies Services, Specialized Medical Equipment Services, ~~and Supplies~~, Skilled Nursing Services, Community Specialist Services, ~~Individual Directed Goods and Services~~, Crisis Intervention Services, Individual Directed Goods and Services, Assistance in Community Integration Services, Benefits and Career Counseling Services, Community Experience Services, Personal Emergency Response System (PERS) Services, and Supported Employment Emergency Transportation Services. These HCBS services provide assistance necessary to ensure optimal functioning of individuals with intellectual disabilities.

(3) The ~~Home and Community Based Living at Home LAH~~ Waiver is administered through a cooperative effort between the Alabama Medicaid Agency and the Alabama Department of Mental Health and is restricted to individuals with a diagnosis of an intellectual disability, ages 3 and above, and those not residing in a group home situation. Priority access to the LAH 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 June 11, 2014; effective July 16, 2014. **Amended:** Filed July 12, 2017; effective August 28, 2017. **Amended:** Filed September 20, 2018