

**Rule No. 560-X-35-.01 Authority and Purpose**

(1) Home and Community Based Services (HCBS) for persons with intellectual disabilities are provided by the Alabama Medicaid Agency to persons who are Medicaid-eligible under the Home and Community-Based Waiver for Persons with Intellectual Disabilities (ID Waiver) requirements and who would, but for the provision of such HCBS, require the level of care available in an intermediate care facility for individuals with intellectual disabilities (ICF/IID). These HCBS 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 covered in the ID Waiver are Residential Habilitation Training Services, Supported Living Services, Day Habilitation Services, Prevocational Services, Supported Employment Services, Occupational Therapy Services, Speech and Language Therapy Services, Physical Therapy Services, Positive Behavior Support Services, Companion Services, Respite Care Services, Personal Care Services, Environmental Accessibility Adaptations Services, Specialized Medical Supplies Services, Skilled Nursing Services, Assistive Technology Services, Crisis Intervention Services, Benefits and Career Counseling Services, Community Experience Services, Housing Stabilization Services, Individual Directed Goods and Services, Supported Employment Transportation Services, ~~and~~ Personal Emergency Response System Services, and Remote Support Services. These HCBS provide assistance necessary to ensure optimal functioning of individuals with intellectual disabilities.

(3) The ID Waiver is administered with a cooperative effort between the Alabama Medicaid Agency and the Alabama Department of Mental Health. The HCBS under the ID Waiver are limited to individuals with a diagnosis of an intellectual disability, age 3 and above.

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**Statutory Authority:** Section 1915(c) Social Security Act; 42 C.F.R. Section 441, Subpart G; and the Home and Community-Based Waiver for Persons with Intellectual Disabilities

**History:** Rule effective July 9, 1985. **Amended:** filed November 4, 2019; effective March 16, 2020. **Amended:** November 18, 1987 and January 14, 1997. **Amended:** Filed December 18, 2000; effective March 12, 2001. **Amended:** Filed October 21, 2004; effective January 14, 2005. **Amended:** Filed March 21, 2005; effective June 16, 2005. **Amended:** Filed June 12, 2012; effective July 17, 2012. **Amended:** Filed July 12, 2017; effective August 28, 2017. **Amended:** Filed September 11, 2018; effective October 26, 2018. **Amended:** Filed January 10, 2020; Effective March 16, 2020. **Amended:** Filed June 21, 2021;