

JAN 26 2006  
HUMAN RESOURCES

HOUSE FILE 2148  
BY UPMEYER

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to requirements for consumer-directed attendant  
2 care provided under a medical assistance home and community-  
3 based services waiver.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2148

1 Section 1. Section 249A.32, Code 2005, is amended to read  
2 as follows:

3 249A.32 MEDICAL ASSISTANCE HOME AND COMMUNITY-BASED  
4 SERVICES WAIVERS -- CONSUMER-DIRECTED ATTENDANT CARE --  
5 PROVIDER VERIFICATION -- TERMINATION OF CONTRACT.

6 1. a. A person who applies to the department for approval  
7 as a consumer-directed attendant care provider shall provide  
8 proof of any training, certification, licensing, or  
9 supervision required for the type of service that the  
10 applicant would provide under a contract with a consumer.  
11 Prior to approval and issuance of a provider number to a  
12 consumer-directed attendant care provider applicant, the  
13 department shall verify the proof provided.

14 b. At the time of entering into a contract for the  
15 provision of consumer-directed attendant care, the consumer,  
16 with the assistance of the case manager, shall verify that the  
17 consumer-directed attendant care provider has the requisite  
18 training, certification, licensing, or supervision necessary  
19 to provide the care specified in the contract.

20 2. The case manager shall periodically review with the  
21 consumer the narrative record of the care provided by the  
22 consumer-directed attendant care provider to determine  
23 compliance with the contract.

24 ~~3.~~ 3. A case manager for-a-medical-assistance-home-and  
25 ~~community-based-services-waiver~~ may terminate the contract of  
26 a person providing consumer-directed attendant care services  
27 to whom payment is being made for provision of such services  
28 under the waiver if the case manager determines that the  
29 person has breached the contract by not providing the services  
30 agreed to under the contract.

31 ~~2.~~ 4. For the purposes of this section, "consumer" and  
32 "waiver" mean consumer and waiver as defined in section  
33 249A.29 and "narrative record" means the provider's record of  
34 services provided to the consumer as specified in the contract  
35 between the consumer and provider, and for which the provider

1 bills the department for payment under a waiver.

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EXPLANATION

3 This bill provides requirements for the provision of  
4 consumer-directed attendant care under a medical assistance  
5 home and community-based services waiver. The bill requires a  
6 consumer-directed attendant care provider applicant to provide  
7 proof of any training, certification, licensing, or  
8 supervision required for the type of service that the  
9 applicant would provide under a contract with a consumer.

10 Additionally, the bill requires the department of human  
11 services, prior to approval of and issuance of a provider  
12 number to a consumer-directed attendant care provider  
13 applicant, to verify the proof provided. The bill provides  
14 that at the time of entering into a contract for the provision  
15 of consumer-directed attendant care, the consumer, with the  
16 assistance of the case manager, is to verify that the  
17 consumer-directed attendant care provider has the requisite  
18 training, certification, licensing, or supervision necessary  
19 to provide the care specified in the contract.

20 The bill requires the case manager to periodically review  
21 with the consumer the narrative record of the care provided by  
22 the consumer-directed attendant care provider to determine  
23 compliance with the contract.

24 The bill defines "narrative record" as the provider's  
25 record of services provided as specified in the contract  
26 between the consumer and provider and for which the provider  
27 bills the department for payment under a waiver.

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