

## MEMORANDUM

**A.9266 (Davila)/S.1747 (Rivera)**

***An act to amend the social services law, in relation to eligibility for medical assistance for personal care services for persons with traumatic brain injury, cognitive impairments, developmental disabilities, blindness, or visual impairment***

This bill amends the recently enacted 2020-21 State Budget provisions which establish certain eligibility thresholds for receiving personal care services under managed care and fee-for-service Medicaid programs.

The 2020-21 State budget reconfigured eligibility for personal care services under Medicaid's fee for service and managed care programs in order to curb growth and utilization of Medicaid spending for these services. These costs are rising predominantly because of the state's growing elderly and disabled population.

The budget provisions allow for the authorization of personal care services for individuals with a need for limited assistance with physical maneuvering with three or more Activities of Daily Living (ADLs) and for persons with a dementia or Alzheimer's diagnosis, assessed as needing at least supervision with more than one activity of daily living.

LeadingAge supports this legislation. This bill would allow the latter threshold for PCS services to include patient populations, in addition and very similar to those with Alzheimer's and dementia - particularly individuals with traumatic brain injury, cognitive impairment, developmental disability, blindness, or visual impairment. These additional populations also often require supervision and assistance with basic daily tasks and should be ensured inclusion in the latter threshold for personal care. It is possible the omission of these populations in the budget language was inadvertent. Regardless, these services are necessary for these patient populations and their inclusion will ensure these individuals receive the basic daily assistance and supervision they need to live with dignity and independence at home and in our communities.

**For the reasons stated above, LeadingAge New York supports this legislation.**

*LeadingAge New York represents over 400 not-for-profit and public long-term care providers, including nursing homes, home care agencies, senior housing, retirement communities, assisted living, adult care facilities, adult day health care and managed long term care.*

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