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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christopher D. Adams.

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## DIGEST

Heitmeier (SB 498)

Present law defines "evaluation team" to mean the individuals who determine the eligibility of persons with significant disabilities for state personal assistance services and shall be designated by the assistant secretary of the office of aging and adult services within the Department of Health and Hospitals (the department).

Proposed law amends present law and repeals the definition of "evaluation team".

Present law defines "state personal assistance services" to mean services which are required by a person with significant disabilities between 18 and 60 years of age to achieve greater physical independence and which include but are not limited to services related to:

- (1) Routine bodily functions, such as bowel or bladder care.
- (2) Dressing.
- (3) Preparation and consumption of food.
- (4) Housecleaning and laundry.
- (5) Transfers.
- (6) Routine bathing.
- (7) Ambulation.
- (8) Any other similar activity of daily living.

Proposed law amends present law to define "state personal assistance services" to mean goods and services which are required by a person with significant disabilities age 18 or older to increase a person's independence or substitute for a person's dependence on human assistance.

Present law provides the department shall provide a subsidy for personal assistance services to any person who is between the ages of 18 and 60 years at inception of services; a person who begins to receive services between the ages of 18 and 60 shall continue to receive services after the age of 60, provided that all other eligibility requirements are met.

Proposed law amends present law to provide that the department shall provide a subsidy for personal assistance services to any person who is age 18 or older at inception of services,

provided that all other eligibility requirements are met.

Present law provides that the number of qualified providers will be limited to six statewide.

Proposed law removes this provision.

Present law provides the evaluation team shall determine the eligibility of the person with significant disabilities for personal assistance services and reevaluate the person with significant disabilities annually to determine the person's continuing need for services.

Proposed law removes this provision.

Present law provides the department, by rule, shall establish an eligibility standard which takes into consideration the unique economic and social needs of persons with significant disabilities.

Proposed law amends present law to provide the department, by rule, shall establish an eligibility standard and an evaluation process which takes into consideration the unique economic and social needs of persons with significant disabilities.

Present law provides the State Personal Assistance Services Program may supplement any other programs for which the person is eligible.

Proposed law amends present law to provide the State Personal Assistance Services Program shall be considered as a source of last resort for personal assistance services after private and governmental sources have been expended.

Present law provides the secretary of the department or his designee shall develop and maintain a state personal assistance policy plan which shall include but not be limited to the following:

- (1) Criteria for eligibility of a person with significant disabilities for the services.
- (2) Criteria for determining number of hours per week of services to be provided to a person with significant disabilities.
- (3) Determination of how program funds will be disbursed.
- (4) Criteria for determining prioritization of the State Personal Assistance Program waiting list.

Proposed law amends present law to provide the secretary of the department or his designee shall develop and maintain a state personal assistance policy plan which shall include but not be limited to the following:

- (1) Criteria for eligibility of a person with significant disabilities for the services.

- (2) Criteria for determining the goods and services to be provided to a person with significant disabilities.
- (3) Determination of how program funds will be disbursed.
- (4) Criteria for determining prioritization of the State Personal Assistance Program waiting list.

Present law provides in developing and maintaining a state personal assistance policy, the secretary shall solicit consultation from an advisory panel, that shall include representatives from the fiscal agents, and consumers.

Proposed law removes this provision.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 46:2116.1, 2116.2(B)(2) and (C)(4), 2116.3(A) and (C), and 2116.5(A); repeals R.S. 46:2116.5(D))