

103^D CONGRESS
1ST SESSION

H. R. 1530

To amend title XIX of the Social Security Act to provide for improved delivery of and access to home care and to increase the utilization of such care as an alternative to institutionalization.

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 1993

Mrs. JOHNSON of Connecticut (for herself and Mrs. BENTLEY) introduced the following bill; which was referred jointly to the Committees on Energy and Commerce and Ways and Means

A BILL

To amend title XIX of the Social Security Act to provide for improved delivery of and access to home care and to increase the utilization of such care as an alternative to institutionalization.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Senior Home Care
5 Choice Fairness and Improvement Act of 1993”.

1 **SEC. 2. APPLICATION OF SPOUSAL IMPOVERISHMENT**
2 **RULES UNDER MEDICAID TO SPOUSES OF IN-**
3 **DIVIDUALS RECEIVING HOME OR COMMU-**
4 **NITY-BASED SERVICES.**

5 (a) IN GENERAL.—

6 (1) APPLICATION OF RULES.—Section
7 1924(h)(1)(A) of the Social Security Act (42 U.S.C.
8 1396r-5(h)(1)(A)) is amended by striking “or who
9 (at the option of the State) is described in section
10 1902(a)(10)(A)(ii)(VI), and” and inserting “or is re-
11 ceiving medical assistance under section
12 1902(a)(10)(A)(ii)(VI), and”.

13 (b) INCREASE IN NUMBER OF INDIVIDUALS AL-
14 LOWED TO RECEIVE HOME OR COMMUNITY-BASED SERV-
15 ICES.—Section 1915(c)(10) of such Act (42 U.S.C.
16 1396n(c)(10)) is amended by striking “200” and inserting
17 “300”.

18 (c) INFORMING PATIENTS OF AVAILABILITY OF
19 HOME CARE.—

20 (1) MEDICARE PATIENTS.—Section 1866(a)(1)
21 of such Act (42 U.S.C. 1395cc(a)(1)) is amended—

22 (A) by striking “and” at the end of sub-
23 paragraph (P);

24 (B) by striking the period at the end of
25 subparagraph (Q) and inserting “; and”; and

1 (C) by adding at the end the following new
2 subparagraph:

3 “(R) in the case of hospitals, to inform in-
4 dividuals of the availability of home care serv-
5 ices under title XIX and, if in a State operating
6 under a waiver under section 1915(c), to inform
7 individuals of the availability of home or com-
8 munity-based services in such State.”.

9 (2) MEDICAID PATIENTS.—Section 1902(w)(1)
10 of such Act (42 U.S.C. 1396a(w)(1)) is amended—

11 (A) by striking “and” at the end of sub-
12 paragraph (D);

13 (B) by striking the period at the end of
14 subparagraph (E) and by inserting “; and”;
15 and

16 (C) by adding at the end the following new
17 subparagraph:

18 “(F) to inform such individuals of the
19 availability of home care services under this
20 title and, if in a State operating under a waiver
21 under section 1915(c), to inform such individ-
22 uals of the availability of home or community-
23 based services in such State.”.

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