

House Bill 1238

By: Representatives Dempsey of the 13<sup>th</sup>, Hawkins of the 27<sup>th</sup>, Cameron of the 1<sup>st</sup>, Crawford of the 89<sup>th</sup>, and Cooper of the 45<sup>th</sup>

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated,  
2 relating to medical assistance generally, so as to direct the Department of Community Health  
3 to submit a waiver request to the federal Centers for Medicare and Medicaid Services to  
4 authorize the qualification of certain caregivers for Medicaid reimbursement for the  
5 provision of respite care and related services; to provide for implementation upon approval;  
6 to provide for related matters; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to  
10 medical assistance generally, is amended by adding a new Code section to read as follows:

11 "49-4-142.6.

12 (a) Not later than December 31, 2026, the department shall submit a waiver request to the  
13 federal Centers for Medicare and Medicaid Services to authorize the qualification of  
14 caregivers of those recipients of medical assistance who are under the age of 21 and at risk  
15 for out of home placement or residential treatment due to complex behavioral health

16 conditions for Medicaid reimbursement for the provision of respite care and related  
17 services.

18 (b) Upon approval of the waiver provided for in subsection (a) of this Code section, the  
19 department shall take all necessary steps to provide for payment of such care and services  
20 with Medicaid funds."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.