

The Senate Committee on Health and Human Services offered the following substitute to HB 1238:

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 in the least restrictive, most family-like setting possible to meet the recipient's
18 needs.

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

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.