

SENATE BILL NO. 100

INTRODUCED BY B. BEARD

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING THE SENIOR CARE FACILITY ACCESS AND STABILIZATION ACT; ESTABLISHING PROCEDURES FOR CALCULATING ROOM AND BOARD COSTS FOR ASSISTED LIVING FACILITY SERVICES; REQUIRING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO PURSUE THE COMMUNITY FIRST CHOICE OPTION FOR ASSISTED LIVING; ESTABLISHING REPORTING REQUIREMENTS; AND PROVIDING A DELAYED EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Short title. [Sections 1 through 4] may be cited as the "Senior Care Facility Access and Stabilization Act".

NEW SECTION. Section 2. Calculation of room and board costs for assisted living facility services. (1) The department shall, at a minimum, annually adjust the amount that persons enrolled in the Montana medicaid program must pay for room and board when receiving assisted living facility services.

(2) The room and board payment for a person who is categorically eligible for the program must equal the person's monthly supplemental security income payment, minus a \$100 allowance to provide for personal needs funds.

(3) (a) The room and board payment for a person who qualifies for the program pursuant to 53-6-131(1)(e)(ii)(A) must equal the person's countable gross income, minus:

(i) the amount of money the person must spend to qualify for medicaid; and

(ii) \$100 to provide for personal needs funds.

(b) After an initial adjustment made pursuant to subsection (3)(a), the department shall adjust the room and board payments when the amount a person must spend to qualify for medicaid has been increased or decreased to maintain personal needs funds of \$100.

(4) For the fiscal year beginning July 1, 2027, the department shall adjust the room and board

1 payment levels as provided in this section on July 1, 2027, and on January 1, 2028.

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3 **NEW SECTION. Section 3. Direction to department of public health and human services.** The
4 legislature directs the department of public health and human services to apply for a state plan amendment no
5 later than January 1, 2028, to make assisted living facility services currently covered under the big sky waiver a
6 service covered under the community first choice option available under the medicaid program.

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8 **NEW SECTION. Section 4. Reporting requirements -- big sky waiver and community first**
9 **choice programs.** (1) Each quarter of the 2029 biennium, the department of public health and human services
10 shall report the following information for the preceding quarter to the health and human services interim budget
11 committee provided for in 5-12-501:

12 (a) the average number of people served each month through the big sky waiver and the
13 community first choice option administered by the division overseeing long-term care services;

14 (b) the average number of people on the waiting list for the big sky waiver each month;

15 (c) any changes in the number of providers participating in the community first choice option;

16 (d) the average per-capita expenditures in the big sky waiver and the community first choice
17 option; and

18 (e) the average utilization rate of individual service plan allotments in the community first choice
19 option.

20 (2) The reports must be provided in electronic format and presented to the committee in person.

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22 **NEW SECTION. Section 5. Codification instruction.** [Section 1] is intended to be codified as an
23 integral part of Title 53, chapter 6, and the provisions of Title 53, chapter 6, apply to [section 1].

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25 **NEW SECTION. Section 6. Effective date.** [This act] is effective July 1, 2027.

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