

LEGISLATIVE

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Allow Medicaid in Assisted Living Communities

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The problem:

While Assisted Living Communities (ALC) provide a private pay residential option, under Georgia law ALCs are not allowed to receive Medicaid funds and many Georgians cannot afford ALC care. Georgia allows for Medicaid funding only in personal care homes of up to 24 beds through either the Community Care Services Program (CCSP) or SOURCE. The ALC statute states that ALCs must have at least 25 beds. Therefore, unlike persons meeting Medicaid income requirements who live in licensed personal care homes of up to 24 beds, ALC residents cannot take advantage of Home & Community Based Services through CCSP or SOURCE. Studies have shown that 70% of people living past age 65 will need extended care services at home or in a facility. Nationally, 46% of ALCs are Medicaid certified and 9% of ALC residents rely on Medicaid for their long term care.

What other states are doing:

44 states and D.C. now provide some level of financial assistance to individuals in assisted living. The term “assisted living” has different meanings across these states. Federal regulations prohibit states from paying for room and board costs with Medicaid.

What this legislation would do:

This legislation would allow older adults with limited means to have access to care provided in AL facilities. Legislation would amend GA’s AL community statute (O.C.G.A. § 31-7-12.2) in two ways: (1) removing the requirement that an assisted living community must have a minimum of 25 beds and (2) deleting the prohibition of ALCs enrolling as a Medicaid provider and receiving Medicaid funds. These changes will expand choice for older Georgians, allowing seniors to live in ALCs and to take advantage of home and community-based services under GA’s Elderly & Disabled Medicaid waiver.

Any opposition:

In the past, some major companies operating nursing homes and their associations advocating for the skilled nursing facility industry have been reluctant to support creation of new levels of care or changes to legislation regarding the marketing of assisted living residences.

Helpful Resources:

LeadingAge Georgia
National Center for Medicare & Medicaid Services, U.S. Dep’t HHS
American Council on Aging