

HOUSE BILL NO. 2714

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Education and Health

on February 13, 2025)

(Patron Prior to Substitute—Delegate Wilt)

A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 3 of Title 37.2 a section numbered 37.2-314.4, relating to Department of Behavioral Health and Developmental Services; Department of Medical Assistance Services; developmental disability waivers; reallocation of unused waiver slots.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 3 of Title 37.2 a section numbered 37.2-314.4 as follows:

§ 37.2-314.4. Reallocation of unused developmental disability waiver slots.

The Department may reallocate unused Community Living waiver slots, Family and Individual Support waiver slots, and Building Independence waiver slots among community services boards or regions, whichever is applicable. The Department may reallocate a waiver slot only if such waiver slot is unused for a period of at least 30 days and no individual on the Priority One waitlist, as that term is defined in the Department of Medical Assistance Services provider manual, who qualifies for that spot is identified within the catchment area of the applicable community services board or applicable region during such 30-day period.

2. That the provisions of this act shall not become effective unless and until the Department of Medical Assistance Services obtains the necessary approvals from the Centers for Medicare and Medicaid Services to implement the provisions of this act.

3. That the Department of Behavioral Health and Developmental Services and the Department of Medical Assistance Services shall promulgate regulations to implement the provisions of this act to be effective within 280 days of its enactment.