

26103338D

HOUSE BILL NO. 823

Offered January 14, 2026

Prefiled January 13, 2026

A BILL to direct the Department of Medical Assistance Services to seek the necessary approvals to amend the program rules for the Community Living and Family and Individual Supports Waivers to provide for compensation of a direct support professional for a waiver recipient in an acute care hospital under certain circumstances.

Patron—Carr

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. § 1. *The Department of Medical Assistance Services (DMAS) shall seek the necessary approvals to amend the program rules for both the Community Living and the Family and Individual Supports § 1915(c) Home and Community Based Services Waivers to provide an option for compensating a provider for assigning a direct support professional to assist and support an individual receiving services in an acute care setting. Such amendment shall provide for a direct support professional to assist waiver recipients in an acute care hospital when necessary supports, including communication, behavior stabilization, and intensive personal care, are outlined in the waiver recipient's service plan and such support, specific to the waiver recipient, is not otherwise provided. Such amendment shall specify that services provided by a direct support professional shall be available to waiver recipients 18 years of age or older who are admitted to acute care while receiving group home residential services, sponsored residential services, supported living residential services, or in-home support services. DMAS shall have the authority to amend any necessary regulations to implement the provisions of this act.*