

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: SB114

Patron: Durant

Bill Title: Medicaid waivers; consumer-directed services, employer of record.

Bill Summary: Directs the Department of Medical Assistance Services (DMAS) to modify the program rules for consumer-directed services available through certain Medicaid waivers to allow an individual receiving services to serve as the employer of record (EOR) for his own service delivery and designate another individual to perform all or a portion of the duties of the EOR on the individual's behalf when the individual receiving services is unable to perform such duties or direct his own care. The bill specifies that when an individual (i) has not yet reached the age of majority, (ii) is ineligible to use his existing employer identification number (EIN) to facilitate the taxation of benefits, or (iii) is otherwise determined to be ineligible by DMAS by administrative rule, the EIN shall be assigned to the individual receiving services and shall not be transferred to another individual. Under the bill, DMAS has the authority to limit such amendments to specify that an individual receiving services may make such designation no more than twice per calendar year.

Budget Amendment Necessary: Yes

Items Impacted: 295

Fiscal Summary: This bill has a fiscal impact. The tables below reflect the administrative impact; however, the impact to services is indeterminate.

General Fund Expenditure Impact:

Agency	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
DMAS (602)	\$0	\$167,000	\$0	\$0	\$0	\$0
TOTAL	\$0	\$167,000	\$0	\$0	\$0	\$0

Nongeneral Fund Expenditure Impact:

Agency	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031
DMAS (602)	\$0	\$167,000	\$0	\$0	\$0	\$0
TOTAL	\$0	\$167,000	\$0	\$0	\$0	\$0

Fiscal Analysis: This bill requires modification to the Fiscal Employer Agent (F/EA) contract to update the systems and to allow for secondary service delivery approval authority as the employer of record (EOR). A one-time cost of \$334,000 (\$167,000 general fund) would be required in fiscal year 2027 for a contract

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modification to update agency systems. This cost estimate is based on the most recent modification to the F/EA contract for comparable work.

The impact on medical services paid for by the Department of Medical Assistance Services is indeterminate. As of November 2025, 31,662 Medicaid members were enrolled in consumer direction. DMAS indicates that it is unclear to what extent the bill's changes to EOR eligibility would have on service delivery, payment, or care.

Other: This bill is a companion to HB470.