RULES
OF
TENNESSEE COMMISSION ON AGING AND DISABILITY

CHAPTER 0030-2-2
STATE-WIDE MEDICAID HOME AND COMMUNITY BASED SERVICES WAIVER FOR ELDERLY AND DISABLED ADULTS

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0030-2-2-.01 PURPOSE. The purpose of this rule is to implement the Medicaid waiver long-term care home and community based services program authorized by T.C.A. Section 71-5-1408 which is intended to serve low-income nursing home eligible individuals in HCBS settings who have been pre-admission evaluation (PAE) approved by the Bureau of TennCare and certified eligible for Medicaid services by the Department of Human Services.

Authority: *T.C.A. §§4-5-202, 4-5-204, 71-2-105(b) (1), and 71-5-1408(d) and (e).* ***Administrative History:*** *Original rule filed April 15, 2004; effective June 29, 2004.*

0030-2-2-.02 MINIMUM REQUIREMENTS (PRINCIPLES) FOR CASE MANAGEMENT SERVICES.

(1) Case management services offered under the long-term care services plan authorized at T.C.A. § 71-5-1408 shall meet the principles of the Older Americans Act to include the following:

(a) The case manager must provide each individual seeking services under the waiver a comprehensive list of agencies that are authorized to provide services within the jurisdiction of the area agency on aging and disability.

(b) The case manager must provide each individual enrolled in the waiver a statement specifying that the individual has a right to make an independent choice of service providers and document the receipt by each enrollee of such statement.

(2) Case managers shall be required to act as exclusive agents for individual enrollees receiving waiver services and must not promote any agency providing such services.

(3) The agency providing case management services shall not provide any other services to the individual receiving case management.

(4) Case managers should seek to maximize the use of voluntary and existing services for waiver enrollees.

Authority: *T.C.A. §§4-5-202, 4-5-204, 71-2-105(b) (1), 71-5-1402 (e) (10) and (11) and 71-5-1408(d) and (e), and 42 U.S.C. § 3026 (a) (8), 42 U.S.C. § 3026 (a) (8) (C) (i), 42 U.S.C. § 3026 (a) (8) (C) (ii), and 42 U.S.C. § 3026 (a) (8) (C) (iii).* ***Administrative History:*** *Original rule filed April 15, 2004; effective June 29, 2004.*