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S.F. No. 3634 - State-only funding permission of personal care assistance services provided by parents or spouses

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Background: Under the personal care assistance (PCA) program, medical assistance must not pay spouses to provide PCA services to their spouses or parents to provide PCA services to their own minor children. During the peace time emergency, the federal government temporarily permitted these payments for PCA services, but the authority to make these payments expired on November 11, 2023. Under the soon-to-be-implemented community first services and supports (CFSS), which will be replacing the PCA program, medical assistance will be permitted to pay spouses to provide direct support to their spouse and parents of minor children to provide direct support to their minor children.

S.F. 3634 retroactively permits medical assistance to pay spouses and parents of minor children to provide PCA services to their own spouse or minor children. The commissioner of human services is directed to seek federal approval for these payments, and to make the payments without federal participation if necessary, until the recipient of the PCA services is transitioned to CFSS.