

1 **** BILL NO. ****
2 INTRODUCED BY ****
3 BY REQUEST OF THE ****

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING THE UNPAID CAREGIVER SUPPORT
6 PROGRAM; REQUIRING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO APPLY
7 FOR A MEDICAID WAIVER TO FUND THE PROGRAM; PROVIDING RULEMAKING AUTHORITY;
8 ESTABLISHING REPORTING REQUIREMENTS; PROVIDING AN APPROPRIATION; AND PROVIDING
9 EFFECTIVE DATES."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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13 NEW SECTION. **Section 1. Unpaid caregiver support program -- eligibility -- rulemaking**

14 **authority -- report.** (1) There is an unpaid caregiver support program within the department of public health
15 and human services to support family and other unpaid caregivers of persons who are elderly and disabled.

16 The program helps reimburse for services that include:

- 17 (a) Adult day care services;
18 (b) Assistive technology, such as personal emergency response systems and home safety
19 features;
20 (c) Counseling and other mental health supports for caregivers;
21 (d) Education necessary for an individual to fulfill their role as a caregiver;
22 (e) Financial planning and legal services;
23 (f) Respite care; and
24 (g) Other in-home supports and services that reduce the burden on unpaid caregivers.

25 (2) To be eligible for this program, an individual must:

- 26 (a) be an unpaid caregiver to an elderly or disabled person who is currently eligible for medicaid or
27 medicare but is not receiving other long-term services and supports through medicaid or medicare; and
28 (b) complete the assessment tool prescribed in subsection (3).

1 (3) (a) The division of the department that administers long-term care services for senior citizens
2 and individuals with physical disabilities shall develop an assessment tool to determine the needs of eligible
3 caregivers.

4 (b) The tool shall be made available to qualified entities statewide, including tribal entities,
5 community organizations, and area agencies on aging and their designated subcontractors.

6 (3) The department shall adopt rules to implement the provisions of this section.

7 (4) The department shall report to the children, families, health, and human services interim
8 committee, in accordance with 5-11-210, by September 1 of each year on:

9 (a) The number of individuals served by the program;

10 (b) The cost of the program; and

11 (c) the cost savings of the program.

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13 **NEW SECTION. Section 2. Direction to department of public health and human services.** The
14 legislature directs the department of public health and human services to apply to the centers for medicare and
15 medicaid services as soon as practicable and no later than January 1, 2026, for a medicaid waiver to provide,
16 to the extent allowable, the services identified in [section 1] to individuals who are eligible for the program but
17 do not have coverage for the services under another medicaid waiver or the medical assistance program
18 provided for in Title 53, chapter 6.

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20 **NEW SECTION. Section 3. Appropriation.** [This section intentionally left blank for committee
21 consideration.]

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23 **NEW SECTION. Section 4. Codification instruction.** [Section 1] is intended to be codified as an
24 integral part of Title 53, chapter 6, part 1, and the provisions of Title 53, chapter 6, part 1, apply to [section 1].

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26 **NEW SECTION. Section 5. Effective dates -- contingent effective date.** (1) Except as provided in
27 subsections (2) and (3), [this act] is effective on passage and approval.

28 (2) [Section 3] is effective July 1, 2025.

1 (3) [Section 1] is effective on the date that the director of the department of public health and
2 human services certifies to the code commissioner that the centers for medicare and medicaid services
3 approved the department's application for a waiver or state plan amendment to implement the program. The
4 director shall submit certification within 10 days of the occurrence of the contingency.

5 - END -

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