§5437. Contingency fund

The department shall establish a contingency fund for use by persons with intellectual disabilities or autism who qualify for services under this chapter. This fund must be used in accordance with the following provisions. [PL 2021, c. 187, §1 (AMD).]

1. Approval of disbursements. Disbursements must be approved by the commissioner or the commissioner's designee.
[PL 1993, c. 410, Pt. CCC, §38 (AMD).]

2. List of approved usages. The commissioner or the commissioner's designee and representatives of community-based facilities shall develop a list of approved usages of contingency funds.
[PL 1993, c. 410, Pt. CCC, §38 (AMD).]

3. Approved usages; including. Approved usages of contingency funds include, but are not limited to, the following:

A. Payment for special client assessment and treatment services not reimbursed through the principles of reimbursement for intermediate care facilities for persons with intellectual disabilities or autism; [PL 2011, c. 542, Pt. A, §102 (AMD).]

B. Payment for special client needs, such as eyeglasses and wheelchairs and nonreimbursable medications; or [PL 1985, c. 486, §2 (NEW).]

C. Payment for special staff needs to ensure appropriate client treatment. [PL 1985, c. 486, §2 (NEW).]
[PL 2011, c. 542, Pt. A, §102 (AMD).]

4. Disbursement not to be approved. A disbursement for client needs may not be approved for any service or activity not recommended by a planning team or necessary to comply with regulations. A disbursement may not be made unless evidence is provided that the expense is not reimbursable by the Medicaid Program. It is the intent of the Legislature that the contingency fund established in this section be the funding source of last resort.
[PL 2003, c. 389, §1 (AMD).]

SECTION HISTORY

PL 1985, c. 486, §2 (NEW). PL 1987, c. 349, §H22 (AMD). PL 1987, c. 769, §A127 (AMD). PL 1989, c. 502, §A122 (AMD). PL 1993, c. 410, §§CCC37,38 (AMD). PL 1995, c. 560, §K54 (AMD). PL 2003, c. 389, §1 (AMD). PL 2011, c. 542, Pt. A, §§101, 102 (AMD). PL 2021, c. 187, §1 (AMD).

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