

(2) NEEDS HOME AND COMMUNITY SERVICES AND SUPPORTS IN ORDER TO REMAIN IN OR TRANSITION TO THE COMMUNITY.

(D) ~~THE COMMUNITY ATTENDANT SERVICES AND SUPPORTS SHALL BE CAPABLE OF PROVIDING PERSONAL ASSISTANCE AVAILABLE 24 HOURS A DAY, 7 DAYS A WEEK, AND, WHEN NECESSARY, PROVIDE BACKUP AND EMERGENCY PERSONAL ASSISTANCE SERVICES.~~

(E) (1) EACH CONSUMER'S PROGRAM OF SERVICES SHALL BE BASED UPON A MUTUALLY-AGREED UPON INDIVIDUAL SERVICES PLAN, JOINTLY DEVELOPED BY THE CONSUMER AND THE DEPARTMENT OR ITS DESIGNEE.

(2) (I) A CONSUMER SHALL HAVE AN OPPORTUNITY TO CHOOSE BETWEEN DIFFERENT SERVICE DELIVERY OPTIONS, INCLUDING ~~VOUCHERS,~~ CONSUMER-DIRECTED INDIVIDUAL PROVIDER MODELS, AND CONSUMER-DIRECTED AGENCY MODELS.

(II) 1. A CONSUMER MAY SELECT OR HIRE WHOMEVER THE CONSUMER CHOOSES AS A PERSONAL ASSISTANT, INCLUDING FAMILY MEMBERS.

2. BASED ON CONSUMER RECOMMENDATIONS, THE DEPARTMENT MAY WAIVE CERTAIN QUALIFICATIONS REQUIRED IN THE REGULATIONS FOR A PERSONAL ASSISTANTS ASSISTANT IF THE PERSONAL ASSISTANT IS A FAMILY MEMBER OR IS AN INDIVIDUAL KNOWN AND CHOSEN BY THE CONSUMER.

~~2.~~ 3. EXCEPT AS PROVIDED IN ITEM SUB-SUBPARAGRAPH 4 OF THIS PARAGRAPH SUBPARAGRAPH, A FAMILY MEMBER MAY NOT BE BARRED FROM RECEIVING MEDICAL ASSISTANCE PAYMENTS FOR PROVIDING SERVICES.

4. THE CONSUMER'S SPOUSE SHALL BE BARRED FROM RECEIVING MEDICAL ASSISTANCE PAYMENTS FOR PROVIDING SERVICES.

(F) THE DEPARTMENT SHALL OFFER A CONSUMER THE FOLLOWING: ~~TRAINING:~~

(1) TRAINING ON HOW TO SELECT, MANAGE, AND DISMISS AN ATTENDANT OR PERSONAL ASSISTANT; AND

(2) TRAINING ON FINANCIAL ASSISTANCE WITH THE EXPENSE OF MANAGING MANAGEMENT OF THE CONSUMER'S PERSONAL ASSISTANCE SERVICES.

(G) A PROVIDER OF COMMUNITY ATTENDANT SERVICES AND SUPPORTS SHALL ASSURE THAT A CONSUMER IS INFORMED OF ~~AND ACCORDED~~ THE CONSUMER'S RIGHTS ~~AND OPTIONS~~ WITH RESPECT TO SELECTING, MANAGING, AND CHANGING THE CONSUMER'S PERSONAL ASSISTANCE SERVICES AND THE CONSUMER'S RIGHT TO PRIVACY AND CONFIDENTIALITY.

(H) THE DEPARTMENT SHALL LIMIT PARTICIPATION IN THE ~~COMMUNITY ATTENDANT SERVICES AND SUPPORTS PROGRAM~~ TO AN ELIGIBLE INDIVIDUAL ~~UNDER THE AGE OF 60 YEARS WHO RESIDES IN A NURSING HOME OR IS AT RISK OF~~