

~~(3) HEALTH RELATED SERVICES ABOVE THE LEVEL OF ROOM AND BOARD THAT ARE AVAILABLE ONLY THROUGH INSTITUTIONAL FACILITIES INCLUDING, BUT NOT LIMITED TO, INDIVIDUALS WHO EITHER BECAUSE OF SEVERE COGNITIVE IMPAIRMENTS OR OTHER CONDITIONS:~~

~~(4) 1. ARE CURRENTLY UNABLE TO PERFORM AT LEAST TWO ACTIVITIES OF DAILY LIVING WITHOUT HANDS ON ASSISTANCE OR STANDBY ASSISTANCE FROM ANOTHER INDIVIDUAL, AND~~

~~2. HAVE BEEN OR WILL BE UNABLE TO PERFORM AT LEAST TWO ACTIVITIES OF DAILY LIVING FOR A PERIOD OF AT LEAST 90 DAYS DUE TO A LOSS OF FUNCTIONAL CAPACITY, OR~~

~~(H) NEED SUBSTANTIAL SUPERVISION FOR PROTECTION AGAINST THREATS TO HEALTH AND SAFETY DUE TO SEVERE COGNITIVE IMPAIRMENT.~~

~~(C) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.~~

15-132.

(a) (1) In this section the following terms have the meanings indicated.

(2) "Assisted living program" has the meaning stated in § 19-1801 of this article.

(3) "Assisted living services" means services provided by an assisted living program as defined in regulations adopted by the Department.

(4) "Case management services" means services that assist waiver eligible individuals in gaining access to needed waiver services and other needed medical, social, housing, and other supportive services.

(5) "DUAL ELIGIBILITY" MEANS SIMULTANEOUS ELIGIBILITY FOR HEALTH INSURANCE COVERAGE UNDER BOTH THE PROGRAM AND MEDICARE AND FOR WHICH THE DEPARTMENT MAY OBTAIN FEDERAL MATCHING FUNDS.

(6) (4) "Environmental modifications" [has the meaning stated in regulations adopted by the Department and includes those physical adaptations to the home or residence which are necessary to ensure the health, welfare, and safety of the individual or which enable the individual to function with greater independence and without which, the individual would require admission to or continued stay in a nursing facility] ~~MEANS THE PHYSICAL ADAPTATIONS MADE TO AN INDIVIDUAL'S HOME OR PLACE OF RESIDENCE TO ENSURE THE INDIVIDUAL'S HEALTH, WELFARE, AND SAFETY, OR TO ENSURE THE INDIVIDUAL'S ABILITY TO FUNCTION WITH GREATER INDEPENDENCE AND ACCESS IN THE RESIDENCE, AND THAT ARE:~~

~~1. APPROVED IN THE INDIVIDUAL'S PLAN OF CARE;~~

~~2. PREAUTHORIZED BY THE DEPARTMENT OF AGING;~~