

~~[(2)]~~ (3) A limit on annual waiver participation based on State General Fund support as provided in the budget bill;

~~[(3)]~~ (4) Elimination of the current requirements that waiver applicants be at least 62 years old and be eligible for or already receive a subsidy for the senior assisted housing program;

~~[(4)]~~ (5) Financial eligibility criteria which include:

(i) The current federal and State medical assistance long-term care rules for using services provided by a nursing facility, per §§ 1902, 1919, and 1924 of the federal Social Security Act, and applicable regulations adopted by the Department;

(ii) Medically needy individuals using services provided by a nursing facility under the current federal and State medical assistance eligibility criteria governed by regulations adopted by the Department and § 1919 of the federal Social Security Act;

(iii) IF PERMITTED BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES UNDER THE WAIVER UNDER SUBSECTION (B) OF THIS SECTION, MEDICALLY NEEDY INDIVIDUALS WHOSE COUNTABLE INCOME EXCEEDS 300% OF THE APPLICABLE PAYMENT RATE FOR SUPPLEMENTAL SECURITY INCOME BUT IS LESS THAN THE AVERAGE MEDICAID REIMBURSEMENT RATE FOR LONG-TERM CARE AFTER ALL DEDUCTIONS INCLUDING THE PROTECTION FROM SPOUSAL IMPOVERISHMENT PROVISIONS OF THE FEDERAL SOCIAL SECURITY ACT; AND

~~[(iii)]~~ (iv) Categorically needy individuals with income up to 300% of the applicable payment rate for supplemental security income; **[and]**

~~[(5)]~~ (6) Waiver services that include at least the following:

(i) Assisted living services;

(ii) Case management services;

(iii) Personal care services and homemaker services;

(iv) Home health care services;

(v) Respite care services;

(vi) Assistive technology;

(vii) Environmental modifications;

(viii) Medically necessary over-the-counter supplies ordered by a physician and not otherwise covered by the program;

(ix) Environmental assessments;

(x) Family/consumer training;

(xi) Personal emergency response systems;