

~~(A) (1) IN THIS SECTION THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.~~

~~(2) "HANDS ON ASSISTANCE" MEANS THE PHYSICAL ASSISTANCE OF ANOTHER INDIVIDUAL WITHOUT WHICH AN INDIVIDUAL WOULD BE UNABLE TO PERFORM THE ACTIVITIES OF DAILY LIVING.~~

~~(3) "SEVERE COGNITIVE IMPAIRMENT" MEANS A LOSS OR DETERIORATION IN AN INDIVIDUAL'S INTELLECTUAL CAPACITY THAT IS:~~

~~(I) COMPARABLE TO AND INCLUDES ALZHEIMER'S DISEASE AND SIMILAR FORMS OF IRREVERSIBLE DEMENTIA; AND~~

~~(II) MEASURED BY CLINICAL EVIDENCE AND STANDARDIZED TESTS THAT RELIABLY MEASURE IMPAIRMENT IN AN INDIVIDUAL'S:~~

~~1. SHORT TERM OR LONG TERM MEMORY;~~

~~2. ORIENTATION AS TO PEOPLE, PLACES, AND TIME;~~

~~AND~~

~~3. DEDUCTIVE OR ABSTRACT REASONING.~~

~~(4) "STANDBY ASSISTANCE" MEANS THE PRESENCE OF ANOTHER INDIVIDUAL WITHIN ARM'S REACH OF AN INDIVIDUAL THAT IS NECESSARY TO PREVENT, BY PHYSICAL INTERVENTION, INJURY TO THE INDIVIDUAL WHILE THE INDIVIDUAL IS PERFORMING AN ACTIVITY OF DAILY LIVING.~~

~~(5) (I) "SUBSTANTIAL SUPERVISION" MEANS CONTINUAL SUPERVISION BY ANOTHER INDIVIDUAL THAT IS NECESSARY TO PROTECT AN INDIVIDUAL WITH SEVERE COGNITIVE IMPAIRMENT FROM THREATS TO HEALTH OR SAFETY.~~

~~(II) "SUBSTANTIAL SUPERVISION" INCLUDES CUING BY VERBAL PROMPTING, GESTURING, OR OTHER DEMONSTRATIONS OR 24 HOUR SUPERVISION.~~

~~(B) AN INDIVIDUAL SHALL BE DETERMINED MEDICALLY ELIGIBLE TO RECEIVE HOME AND COMMUNITY BASED LONG TERM CARE SERVICES UNDER THE PROGRAM IF THE INDIVIDUAL REQUIRES HEALTH RELATED SERVICES ABOVE THE LEVEL OF ROOM AND BOARD THAT ARE AVAILABLE OUTSIDE OF A~~