

STATE OF ALASKA

DEPARTMENT OF HEALTH AND SOCIAL SERVICES

DIVISION OF SENIOR AND DISABILITIES SERVICES

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Program Memo

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In July 2007, the Superior Court issued a decision in *McGrew v. Department of Health and Social Services, Division of Senior and Disabilities Services*, 3 AN-06-6612 CI. This case challenged the Senior and Disabilities Services' (SDS) interpretation of 7 AAC 43.1049.

Based on this decision, SDS has been approving and will continue to approve Medicaid Waiver respite care services to caregivers who live with a recipient and are both paid Personal Care Attendants and are also the primary unpaid caregivers of enrolled Medicaid Waiver recipients. This does not apply in a group home or residential supported living arrangement. SDS will reimburse enrolled Medicaid respite care providers for the provision of those services, as long as all other statutory and regulatory provisions are met.

If you or your clients have any questions about this policy change, please contact Ms. Odette Jamieson, BSN, RN via e-mail at Odette.Jamieson@Alaska.gov or at 269-3666.