

Reimbursing Legally Responsible Individuals

Frequently Asked Questions – March 1, 2024

1. What changes for LRIs will go into effect on March 1? On March 1st, all current legally responsible individuals may continue to provide services and be reimbursed for up to 40 hours per work week. If there is a paid LRI, respite care will no longer be available.
2. Do I need to fill out the Extraordinary Care Form to be a paid LRI after March 1st? No. DMAS received federal approval to extend some of the current program rules. At this time, the Extraordinary Form will not be required.
3. I am a paid LRI and there is an active respite authorization. Can respite still be used? No. As of March 1st, members using paid LRI caregivers are not eligible to receive respite care.
4. If the member has more than 40 hours of personal care authorized per week, does this change mean they cannot receive those needed hours? No. This change means that the LRI may only be reimbursed for up to 40 hours per week. Another caregiver may provide the hours over 40.
5. I am the paid LRI (parent) caregiver; can the other parent serve as the EOR? Yes, due to the CMS-approved extension, there are no limits on who can serve as the EOR.
6. I submitted an Extraordinary Care form and the case manager declined to sign it. Can I still be paid to provide care after 3/1? Yes, LRIs can continue to work and be paid for up to 40 hours.
7. Can there be more than one LRI being paid to provide care to the member? No. Only one LRI is permitted per member.
8. Is a LRI plan of care still needed? Not at this time. LRIs may continue to provide care up to 40 hours of care a week based on the current plan of care.
9. Does the extension apply to agency personal care? Yes, agencies may continue to pay LRIs for up to 40 hours per week for personal care. Respite care is not available when there is a paid LRI.

10. I am a paid LRI providing care for more than one member; how many hours can I be paid to work? LRIs may be reimbursed for up to 40 hours a week regardless of the number of members they serve.