

111th Congress: Legislative Update

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Pending Legislation

- ❑ **Child Abuse Prevention and Treatment Act**
- ❑ **Health Care Reform**
- ❑ **Family Caregivers of Veterans**
- ❑ **FY10 Labor/Health and Human Services/Education Appropriations Act**

Child Abuse Prevention and Treatment Act Reauthorization

- Child Abuse Prevention and Treatment Act Reauthorization; Especially consideration of Title II, Community-Based Child Abuse and Neglect Prevention Grants
- Strengthen Respite as a Core Service
- Add Crisis Nurseries to list of core services
- Fact Sheet on Respite as Child Abuse Prevention Strategy at <http://www.archrespite.org/docs/FRIENDSfactsheet14-Respite.pdf>

Military Families

□ **Army EMFP Respite Care Program**

- Each family eligible for 40 hours of in-home or out-of-home respite per month. Beginning last August, additional funding and providers available under a contract with Align Staffing.

□ **Administration on Aging and Veterans Affairs Initiative**

- HHS and VA collaborating to make \$10 million available to 20 states to promote community based living for older adults and veterans with disabilities.

□ **Caregiver Assistance and Resource Enhancement act (HR 3155):**

- Extends respite eligibility to family caregivers of enrolled veterans who do not receive medical, hospital, nursing home or home care through the VA.
- In 2010, program will serve 1,200 newly eligible family caregivers at a cost of \$5million rising to 5100 caregivers in 2014 at a cost of \$26 million.
- Passed the House in July; sent to the Senate.

What Do the Disability Advocates Say About Health Care Reform:

- Strengthen long-term services and supports through a two pronged approach:
 - ✓ 1) Make program improvements within Medicaid by including the Community Choice Act which would provide for personal attendant services as part of Medicaid state plan option;
 - ✓ 2) Establish a national voluntary program to finance long-term services and supports by including the Community Living Assistance Services and Supports (CLASS) Act that will also relieve pressure on the Medicaid program

Health Care Reform: Long-Term Care Provisions(Home and Community-based)

- **Senate Finance Committee America's Healthy Future Act of 2009 (introduced September 16, 2009)**
 - Extends Medicaid Money Follows the Person Rebalancing Demonstration program through September 2016
 - Allocates \$10 million per year for five years to continue the Aging and Disability Resource Center initiatives.

- **House Tri-Committee America's Affordable Health Choices Act of 2009 (H.B. 3200) and Senate HELP Committee's Version**
 - CLASS PROGRAM: A national, voluntary insurance program for purchasing community living assistance services and supports;
 - Provides individuals with functional limitations a cash benefit to purchase non-medical services and supports necessary to maintain community residence;
 - Program financed through voluntary payroll deductions: all working adults automatically enrolled. Must choose to opt-out.

FY10 Labor/HHS/Education Appropriations Bills

- **Bill Status:** House passed its version; Full Senate Appropriations Committee approved a version – awaiting floor action.
- **National Family Caregiver Support Program.** House and Senate bills include \$154.2 million for the National Family Caregiver Support Program (NFCSP), same level as last year.
- **CAPTA:**
 - House bill: Level funding for the CAPTA basic state grants at \$26.5 million and for Title II Community-Based Child Abuse Prevention grants at \$42 million.
 - Senate bill provides same level-funding for CAPTA basic state grants and Title II prevention grants.
- **Lifespan Respite:** \$2.5 million in House bill; \$2.5 in Senate bill



How Can We Help Nationally?

Lifespan Respite Care Act

Next Steps

- **Thank Cosponsors for leadership in passing the law**
- **Urge them to secure funding for FY2010**

Lifespan Respite

- ***Definition:*** Coordinated systems of accessible, community-based respite services for all family caregivers regardless of age or special need.
- **Statewide Programs in OR, WI, NE, OK**
- **AZ passed a bill in 2007;
Newest: Delaware, Texas**



Characteristics of State Lifespan Respite Programs

- ❑ **Identify and coordinate existing respite resources;**
- ❑ **Identify service gaps and create and monitor new respite services;**
- ❑ **Recruit, train, and pool paid and volunteer respite providers;**

Characteristics of State Lifespan Respite Programs (con't)

- ❑ **Provide public awareness information; and**
- ❑ **Connect families with respite payment resources, providers, and training to promote consumer direction.**

Lifespan Respite Care Program

Provides competitive state grants for these mandatory uses of the funds:

- **Development or enhancement of State and local Lifespan Respite systems**
- **Provision of planned or emergency respite for all ages**

Lifespan Respite Care Program (con't)

- **Training and recruitment of providers/volunteers**
- **Provision of information to caregivers about available respite and support services, and assistance in gaining access to such services**

State Lead Agency

- **State agency which administers Older Americans Act or Medicaid or State agency designated by the Governor**
- **And is an *Aging and Disability Resource Center* working in mandated collaboration with nonprofit State Respite Coalition or state respite organization**

State Role: Getting Ready to Implement Lifespan Respite



Mandated Collaboration: What does it Mean for Your State?

- The State's Application must include:
 - Memorandum of agreement regarding the **Joint responsibility** for the eligible State agency's Lifespan Respite program between the eligible State agency and a public or private nonprofit statewide respite coalition or organization.

More Information

- **Join the
ARCH National Respite Network**



- **Website:**

<http://www.archrespite.org>