

2019 Bill List – 3/6/19 update

Bill	Subject	Status/ CCoA action
<p><u>AB-50</u> Kalra ***</p>	<p>Medi-Cal: Assisted Living Waiver program. Under current law, the Department of Health Care Services administers a federal waiver program in 15 counties, known as the Assisted Living Waiver program, to test the efficacy of providing an assisted living benefit to beneficiaries under the Medi-Cal program. The waiver covers the care and supervision activities specified for residential care facilities for the elderly. This bill would require the department in 2019 to submit a request to CMS for renewal of the Assisted Living Waiver program with specified amendments. The bill would require the department to increase the number of participants in the program, from 5,500 to 18,500 in the 15 existing waiver counties, and to phase in program expansion beyond those counties on a regional basis, along with modification of the provider reimbursement rate tiers while also maintaining the program’s budget-neutral provisions. The bill would require the department, before submitting the waiver renewal request, to notify specified legislative committees about certain information relating to the increase in the participant population and the regional expansion, to conduct open in-person meetings with stakeholders, and to release a draft of the proposed waiver renewal for stakeholder comment, as specified. The bill would condition implementation of the waiver amendments on obtaining the necessary federal approvals and on the availability of federal financial participation. The bill would require implementation of the waiver amendments to commence within 6 months of the department’s receipt of authorization for the necessary resources, as specified.</p>	<p>Assembly-Health Committee</p>
<p><u>AB-251</u> Patterson</p>	<p>Personal income taxes: credit: family caregiver. This bill, from January 1, 2020, through December 31, 2024, would allow a tax credit against those taxes in an amount equal to 50% of the amount paid or incurred by a family caregiver during the taxable year for eligible expenses related to the care of an eligible family member, not to exceed \$5,000. The bill would limit the aggregate amount of these credits to be allocated in each calendar year to \$150,000,000 as well as any unusual credit amount, if any allocated in the preceding calendar year. The bill would require the Franchise Tax Board to allocate and certify these tax credits to taxpayers on a first-come-first-served basis. The bill would make these provisions operative on the effective date of any budget measure specifically</p>	<p>Assembly-Revenue and Taxation Committee</p>

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	<p>appropriating funds to the Franchise Tax Board for its costs to administer these provisions.</p> <p>The bill would require an eligible family member to be certified by a physician, under penalty of perjury, as being an individual with long-term care needs and would require the family caregiver to retain and make available to the Franchise Tax Board upon request, that certification. By expanding the scope of the crime of perjury, this bill would impose a state-mandated local program</p>	
<p>AB-388 Limón Sponsor: Alzheimer’s Association</p>	<p>Alzheimer’s disease. Existing law authorizes any California university with a medical center to establish Alzheimer’s diagnostic and treatment centers and requires the Department of Public Health to administer grants to the institutions that establish a center pursuant to these provisions. In 2018, the Centers for Disease Control and Prevention published the “Healthy Brain Initiative: State and Local Public Health Partnerships to Address Dementia, The 2018-2023 Road Map,” which established a nationwide framework for addressing Alzheimer’s disease and other dementias. The Healthy Brain Initiative advances cognitive health as an integral component of public health, proposing 25 specific actions in four traditional domains of public health, providing a foundation for the public health community to anticipate and respond to the growing impact of Alzheimer’s disease and other dementias.</p> <p>This bill would require the department to implement the action agenda items in the Healthy Brain Initiative and to coordinate a statewide public awareness campaign to educate the public on the signs and symptoms of Alzheimer’s disease and other dementias and to reach consumers at risk of cognitive impairment, with targeted outreach to populations at greater risk of developing Alzheimer’s disease and other dementias. The bill would also, upon appropriation by the Legislature, require the department to establish a pilot program in up to 8 counties and award participating counties one-time grant funding over 3 consecutive fiscal years to develop local initiatives that are consistent with the Healthy Brain Initiative. The bill would require the department to conduct an evaluation of the pilot program and produce a report, to be submitted to the Legislature by January 1, 2023, describing best practices and making recommendations regarding which solutions and innovations are most feasible to replicate.</p>	<p>Assembly-pending referral</p>
<p>AB-567 – Calderon</p>	<p>Long-term care insurance.</p> <p>This bill would establish the Long-Term Care Insurance Task Force in the Department of Insurance, chaired by the Insurance Commissioner or the commissioner’s designee, and composed of specified stakeholders and</p>	<p>Assembly-Pending Referral</p>

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	<p>representatives of government agencies, to examine the components necessary to design and implement a statewide long-term care insurance program. The bill would require the task force to recommend options for establishing a statewide long-term care insurance program and to comment on their respective degrees of feasibility in a report submitted to the commissioner, the Governor, and the Legislature by July 1, 2021. The bill would require the department to produce, no later than July 1, 2022, an actuarial report of those recommendations, to be shared with and approved by the task force. If approved, the bill would require the report to be submitted to the Legislature.</p>	
<p>AB 568 - Reyes Sponsor: Youth Movement Against Alzheimer's</p>	<p>Caregiver resource centers: volunteer workforce. Existing law requires the Director of Health Care Services to, among other things, maintain or enter into contracts directly with nonprofit caregiver resource centers (CRCs) to provide direct services to caregivers of cognitively impaired adults, as defined, throughout the state. This bill would establish, until January 1, 2025, a pilot program, administered by the director, pursuant to which the CRCs would select, train, and place volunteers to provide care to persons who are at least 65 years of age or who have a cognitive impairment and meet specified criteria. The bill would establish selection criteria for prospective volunteers and specified training requirements. The bill would require the CRCs to provide a stipend and an educational award, as specified, to volunteers. The bill would require the director to appoint an advisory council and would require the director and the advisory council to evaluate the program, as specified.</p>	<p>Assembly-In Committee Process-Aging and Long-Term Care</p>
<p>AB 856 Brough</p>	<p>Personal income tax: credit: home care services. This bill would allow a credit against personal income taxes for each taxable year beginning on or after January 1, 2020, and before January 1, 2024, in an amount equal to 25%, not to exceed \$5,000, of the amount paid or incurred by a qualified taxpayer during the taxable year that was not compensated for by insurance or otherwise, for home care services. The bill would define “home care services” to mean specified nonmedical services and assistance provided by a registered home care aide, as defined, a licensed home health agency, or a licensed hospice, to a qualified taxpayer who, because of advanced age or physical or mental disability, cannot perform these services that enable the qualified taxpayer to remain in their own home.</p>	<p>Assembly-Revenue and Taxation Committee.</p>

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<p>AB-1128 Petrie-Norris</p> <p>Sponsor: CalPACE</p>	<p>Program of All-Inclusive Care for the Elderly.</p> <p>Existing state law establishes the California Program of All-Inclusive Care for the Elderly (PACE program), to provide community-based, risk-based, and capitated long-term care services as optional services under the state’s Medi-Cal State Plan, as specified. Existing law authorizes the Department of Health Care Services to enter into contracts with various entities for the purpose of implementing the PACE program and fully implementing the single state agency responsibilities assumed by the department in those contracts, as specified.</p> <p>This bill would require a PACE center to maintain a license both as a primary care clinic and an adult day health center, and to either maintain a license as a home health agency or contract with a licensed home health agency for the provision of home health services. The bill would require the Department of Health Care Services, as the single state agency overseeing the PACE program, to license and regulate any primary care clinic, adult day health center, and home health agency that is related to a PACE center, thereby transferring these duties from the State Department of Public Health to the State Department of Health Care Services, and would authorize the State Department of Health Care Services to exempt certain PACE centers from these provisions.</p>	<p>Assembly-Pending Referral</p>
<p>AB-1136 Nazarian</p> <p>Sponsor - C4A</p>	<p>California Department of Community Living: establishment.</p> <p>The Mello-Granlund Older Californians Act establishes the California Department of Aging, which provides programs and strategies to support the state’s older population, persons with disabilities, and their caregivers.</p> <p>This bill would state the intent of the Legislature to enact legislation to establish the California Department of Community Living within the California Health and Human Services Agency, through a reorganization of the existing California Department of Aging. The bill would further state the intent of the Legislature to enact legislation to require the California Department of Community Living to realize California’s commitment to person-centered, coordinated service delivery for older adults, people with disabilities, and their caregivers and provide leadership and policy development. The bill would make legislative findings and declarations in support of its provisions.</p>	<p>Assembly-Pending</p>
<p>AB-1382 Aguiar-Curry</p>	<p>Master Plan for an Aging California. Existing law, including, among others, the Mello-Granlund Older Californians Act, provides programs and strategies to support the state’s older population. These programs include the Aging and Disability Resource Connection program, established to provide information to consumers and their families on available long-term services and supports (LTSS) programs and to</p>	<p>Assembly-Pending Referral</p>

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	<p>assist older adults, caregivers, and persons with disabilities in accessing LTSS programs at the local level.</p> <p>This bill would state the intent of the Legislature to enact legislation to establish a Master Plan for an Aging California that responds to population needs in a comprehensive manner, including, but not limited to, strategies to address the needs of family caregivers and implement the recommendations offered by the California Task Force on Family Caregiving.</p>	
<p>AB-1434 Kalra</p> <p>Sponsor: Assemblymember Kalra</p>	<p>Public social services: SSI/SSP. Under existing law, benefit payments under SSP are calculated by establishing the maximum level of nonexempt income and federal SSI and state SSP benefits for each category of eligible recipient, with an annual cost-of-living adjustment, effective January 1 of each year. Existing law prohibits, for each calendar year, commencing with the 2011 calendar year, any cost-of-living adjustment from being made to the maximum benefit payment unless otherwise specified by statute, except for the pass along of any cost-of-living increase in the federal SSI benefits. Existing law continuously appropriates funds for the implementation of SSP.</p> <p>This bill would reinstate the cost-of-living adjustment beginning January 1 of the 2020 calendar year. The bill would also require a maximum aid payment provided to an individual or a married couple that does not equal or exceed 100% of the 2019 federal poverty level to be increased to an amount that equals 100% of the federal poverty level. By reinstating the cost-of-living adjustment and by increasing the amount of benefits paid under the SSP, this bill would make an appropriation.</p>	<p>Assembly-Pending Referral</p>
<p>SB-46 - Jackson</p>	<p>State government: emergency services.</p> <p>Existing law authorizes each county to enter into an agreement to access the contact information of resident accountholders through the records of a public utility or other agency responsible for water service, waste and recycling services, or other property-related services for the sole purpose of enrolling county residents in a county-operated public emergency warning system. The law requires any county that enters into such an agreement to include procedures to enable any resident to opt out of the warning system and a process to terminate the receiving agency's access to the resident's contact information. Existing law prohibits the use of the information gathered for any purpose other than for emergency notification.</p> <p>This bill would expand these provisions to authorize a city to enter into an agreement to access the contact information of resident accountholders through the records of a public utility as specified. The bill would also expand the types of public utilities that</p>	<p>Senate - In Committee Process-Governmental Organization</p>

	<p>can enter into these agreements by defining public utility to include, among others, wireless telephony services. The bill would also authorize the governing bodies of the California State University, the University of California, and each community college district to enter into similar agreements to access the contact information of student and employee accountholders through the records of a public utility.</p> <p>Existing law permits an authorized employee of a county social services department to disclose the name and residential address of elderly or disabled clients to police, fire, or paramedical personnel, or other designated emergency services personnel, in the event of a public safety emergency that necessitates the possible evacuation of the area in which those elderly or disabled clients reside. Existing law prohibits these provisions from being implemented unless the Director of Social Services obtains federal approval prior to implementation and executes a declaration stating that any required federal approval has been obtained, and only for the duration of that approval. Existing law defines “public safety emergency” for these purposes to include, but not be limited to, specified events that jeopardize the immediate physical safety of county residents.</p> <p>This bill would recast those provisions to instead permit an authorized employee of a county social services department, to the extent permitted by federal law, to disclose the contact information of persons from the access and functional needs population who are receiving public social services and their emergency contacts to emergency personnel, in order to protect those persons in the event of a public safety emergency. The bill would revise the definition of “public safety emergency” to include a heat emergency. The bill would limit the use of disclosed contact information to the provision of emergency notification or direct emergency services. The bill would require the director of a county social services department to determine a public safety emergency exists in order for these disclosures to be authorized.</p>	
<p>SB-214 Dodd</p>	<p>Medi-Cal: California Community Transitions program.</p> <p>Existing federal law establishes the Money Follows the Person Rebalancing Medi-Cal Demonstration pilot, which is designed to achieve various objectives with respect to institutional and home and community-based long-term care services provided under State Medicaid programs.</p> <p>This bill would require the department to implement and administer the California Community Transitions program, as authorized under federal law and pursuant to the terms of the Money Follows the Person Rebalancing Demonstration. The bill would require the department to seek federal matching funds, and if federal</p>	<p>Senate-In Committee Process-Health</p>

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	<p>matching funds are unavailable, the bill would require the department to fund the program. The bill would require the department to seek partnerships with counties and other local jurisdictions as a means to securing enhanced and complementary funding, as specified.</p>	
<p>SB 228 – Jackson</p>	<p>Master Plan on Aging SB 228 calls for an “Aging Czar” appointed by the Governor to lead a 15-member task force that would work with stakeholders and state agencies to identify the policies and priorities necessary to prepare California for its growing aging population. The task force would include representation from consumers, health care, long-term services and supports, labor, transportation, housing, government, and historically overlooked communities.</p> <p>SB 228 sets out the following preliminary goals for the Master Plan:</p> <ul style="list-style-type: none"> • Expand access to coordinated, integrated systems of care • Strengthen access to long-term services and supports • Prepare families to plan and pay for long-term services and supports • Support California’s family caregivers • Increase access to oral healthcare • Develop affordable housing options • Enhance access to transportation • Develop a culturally-competent paraprofessional and professional workforce • Prevent exploitation and abuse (financial or physical) of older adults • Streamline state administrative structures to improve service delivery <p>https://sd19.senate.ca.gov/news/2019-02-07-jackson-calls-master-plan-aging-californians</p>	<p>Senate-In Committee Process-Human Services</p>
<p>SB-280 - Jackson</p>	<p>Older adults and persons with disabilities: fall prevention.</p> <p>This bill repeals statutes establishing the Senior Housing Information and Support Center within CDA for the purpose of providing information and training relating to available innovative resources and senior services, and housing options and home modification alternatives designed to support independent living or living with family, and the CDA Program for Injury Prevention in the Home Environment, both of which are un-funded and non-operative.</p> <p>SB 280 would instead establish the Dignity at Home and Fall Prevention Program, which would require CDA to provide grants to area agencies on aging for injury prevention information, education, and services for the purpose of enabling older</p>	<p>Senate-Human Services</p>

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	<p>adults and persons with disabilities to live independently in the home environment for as long as possible. The bill would require the department, in consultation with specified experts in injury prevention for older adults and persons with disabilities, to develop a grant application process, specific performance measures on which grant recipients would be required to report, and training materials for the implementation of these provisions. The bill would require the application process to include the submission of a plan that includes the projected number of clients to be served and the array of services to be provided. The bill would provide that funding of these grants is subject to the appropriation of funds by the Legislature in the Budget Act or another statute.</p> <p>(2) The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the for approval and adoption and requires the California Building Standards Commission to update and publish the California Building Standards Code in its entirety once every 3 years. This bill would, at the next triennial building standards rulemaking cycle that commences on or after January 1, 2020, require the Department of Housing and Community Development to develop and propose for adoption by the California Building Standards Commission, building standards requiring fall prevention structural features in single and multifamily dwellings to prevent falls and to facilitate aging in place, as specified.</p>	
<p>SB-440 Pan CCOA co-sponsor</p>	<p>Cognitive Impairment Safety Net System Task Force. This bill would require the Secretary of Health and Human Services to convene a task force to study and assess the need for a cognitive impairment safety net system to serve at-risk adults with cognitive impairment. The bill would specify the composition of the task force and require the task force to determine both short-term and long-term needs of this population. The bill would also require the task force to present its findings in a written report with recommendations to both the Legislature and the Governor on or before January 1, 2021.</p>	<p>Senate-Pending Referral</p>
<p>SB 453 Hurtado</p>	<p>Older adults. Existing law establishes an Aging and Disability Resource Connection (ADRC) program, administered by the California Department of Aging, and makes the operation of these provisions, including the establishment of the ADRC, contingent upon the appropriation of funds for that purpose.</p>	<p>Senate-Pending referral</p>

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	<p>This bill would delete the contingent operation of these provisions and instead make only the operation of the ADRC program contingent upon an appropriation of funds for that purpose. The bill would also declare the intent of the Legislature in enacting those provisions is to establish a No Wrong Door System in California to serve seniors and individuals with disabilities. The bill would additionally require the ADRC program to collect and report certain data to the California Department of Aging.</p>	
<p>SB-512 Pan Sponsor: California Aging & Disability Alliance</p>	<p>Long-term services and supports. This bill would establish the California Long-Term Services and Supports Benefits Board (LTSS Board), composed of 9 specified members, including, among others, the State Treasurer as chair, the Secretary of the California Health and Human Services Agency as vice chair, and 3 members to be appointed by the Governor, including an older adult, a person with a life-long disability who is a consumer of LTSS, and an unpaid family caregiver. The bill would require the LTSS Board to manage and invest revenue deposited in the California Long-Term Services and Supports Benefits Trust Fund (LTSS Trust), which the bill would create in the State treasury, to, upon appropriation, finance long-term services and supports for eligible individuals. The bill would also create the Long-Term Services and Supports Advisory Committee for the purpose of providing ongoing advice and recommendations to the LTSS Board.</p>	<p>Senate-Pending Referral</p>

BUDGET REQUESTS

A. Long-Term Care Ombudsman -- \$5.2 million GF

The Long-Term Care Ombudsman Association is requesting 5.2 million general fund dollars to support the work of local LTC Ombudsman programs. Last year the programs won an ongoing allocation to increase base-level funding for operation of the 33 Ombudsman offices by \$65,000 each. The increased base funding was intended to cover administrative expenses which had long surpassed the \$35,000 base allocation each office received prior to 2018-19. At the same time, the program lost a separate allocation from the State Skilled Nursing Citation Penalty Account, which ultimately reduced available resources for the larger programs, such as Los Angeles.

The current request for \$5.2 million would both restore lost funding and enhance resources for the LTC Ombudsman programs, enabling them to increase volunteer recruitment and support in order to meet the program’s goal of making unannounced quarterly visits to every residential care facility in their jurisdiction.

According to CLTCOA, “While last year Ombudsman representatives did make over 65,000 facility visits and completed over 39,000 complaint investigations, we failed to visit more facilities than the year before, we were unable to respond promptly to more complaints than the year before, and we lost more volunteers than we gained.”

An investment of \$5.2 million would provide for 154,000 additional volunteer hours for Ombudsman visits to licensed facilities, along with sufficient resources for paid Ombudsman staff to conduct additional complaint investigations.

B. MSSP Site Association Budget Request - \$25 million

The Multipurpose Senior Service Program is requesting \$25 million from the General Fund for a rate increase for Multipurpose Senior Services Programs.

Medi-Cal funding for MSSP was flat prior to the recession, when it was subsequently reduced during two separate budget cycles (FY 2008 and 2011). No additional funding has been secured since. However, the cost of professional staff and operations has increased considerably, including salaries, workers’ compensation, staff training and development, rent and utilities.

MSSP is recognized for its value and economy and was even incorporated into the design of the state’s Coordinated Care Initiative as being cost-beneficial to the Medi-Cal Program.

The non-profit MSSP providers are asking for a Medi-Cal rate adjustment to sustain MSSP services in the community that provide the following:

- Personal Assessment and Care Planning.
- Client Monitoring.
- Professional, Quality Staff.