



SPOTLIGHT on **HEALTH POLICY**

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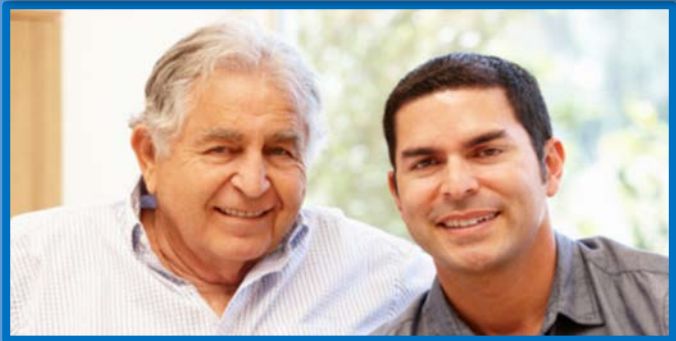
Policies Supporting Family Caregivers

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Associate State Director

AARP California





Picking up the Pace of Supports for Family Caregivers

AARP[®]

Real Possibilities

Presenter



- Nina Weiler-Harwell, Ph.D.
- Associate State Director
- Twenty-two years with AARP
- Master Plan for Aging Stakeholder Advisory Committee, LTSS Subcommittee

Agenda

- **Data on Family Caregivers**
- **RAISE Family Caregiver Act**
- **Other Federal Advocacy**
- **State-Specific Advocacy Opportunities**
 - Paid Family Leave
 - Master Plan for Aging



Family Caregivers

- **Nationally, 41 million family caregivers provide care for adult loved ones -- unpaid care valued at about \$470 billion annually.**
- **Backbone of the care system in the US and California**
- **California: 4.7 million family caregivers provide unpaid care worth about \$63 billion annually**



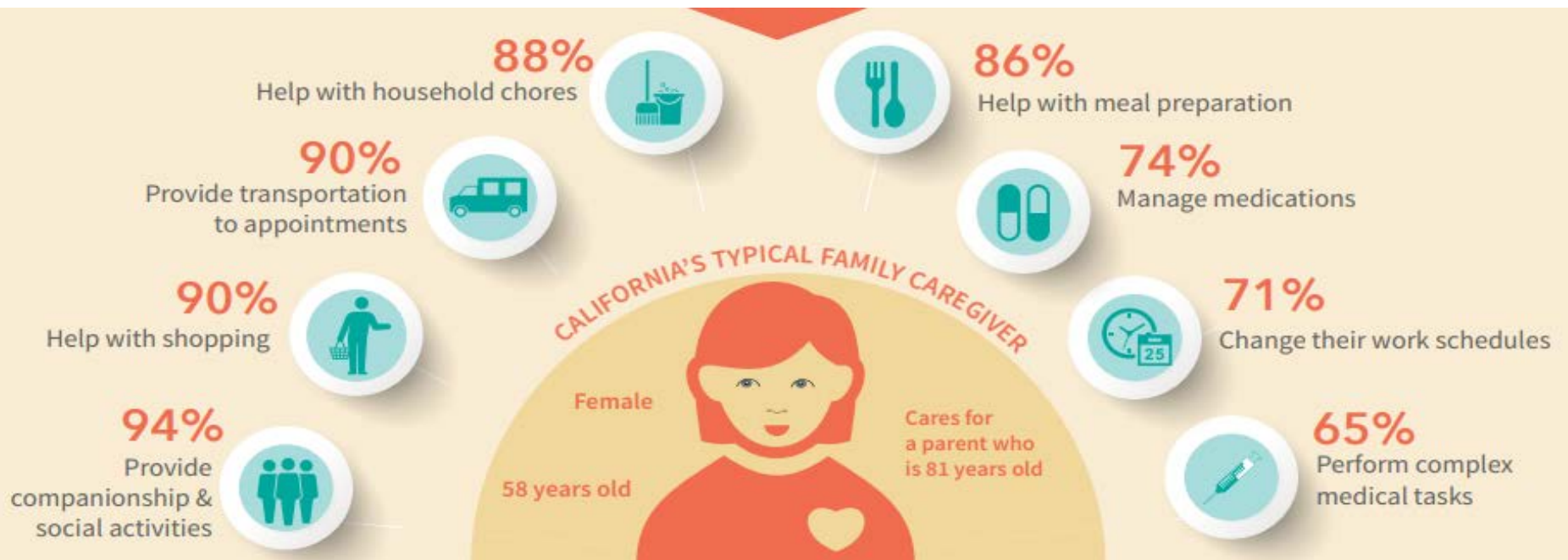
Family Caregivers - Context



Contributions of Family Caregivers

- **Help older adults and people with disabilities live in independently in their homes and communities -- where they want to be**
- **Save taxpayer dollars by helping to delay or prevent more costly nursing home care & unnecessary hospitalizations**
- **Play a vital and often unrecognized role in health care**

The role of the family caregiver has changed



Source: 2018 Survey of 1,152 California Votes Aged 40-plus. Margin of error is $\pm 2.9\%$.

<https://doi.org/10.26419/res.00259.050>

RAISE Family Caregivers Act

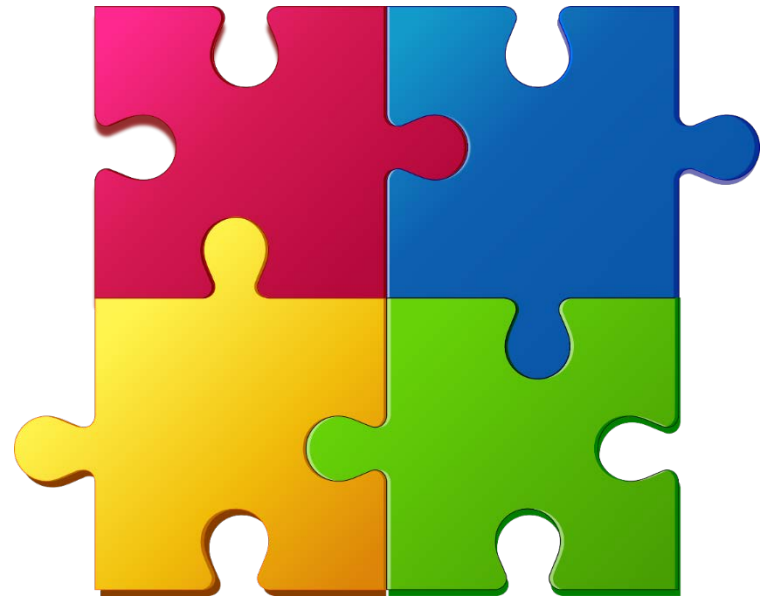
- **Signed into law by the President January 22, 2018 (Public Law 115-119)**
- **Requires the development, maintenance, and updating of a strategy to recognize and support family caregivers**
- **Brings together representatives from the private and public sectors to advise and make recommendations on the strategy**
- **Identifies recommended actions that communities, providers, government, and others are taking or may take to recognize and support family caregivers**

Areas Included in the Strategy

- **Promoting greater adoption of person- and family-centered care in all health and long-term services and supports (LTSS) settings**
- **Assessment and service planning (including care transitions and coordination) involving family caregivers and care recipients**
- **Information, education and training supports, referral, and care coordination**
 - Including hospice care, palliative care, and advance-planning services

Areas Included in the Strategy

- Respite options
- Financial security and workplace issues
- Delivering services based on the performance, mission, and purpose of a program while eliminating redundancies



Family Caregiving Advisory Council

- **Advises HHS Secretary and provide recommendations on recognizing and supporting family caregivers**
- **Not more than 15 voting members appointed by the HHS Secretary, including at least one representative of each category listed in the law**
- **Non-voting federal members, and heads of other federal departments or agencies as appointed by the Secretary or the Chair of the Advisory Council**

Implementation Update

- **Administration for Community Living (ACL, part of Department of Health and Human Services) is the lead federally on RAISE implementation**
 - www.acl.gov/raise
- **First Advisory Council meeting on August 28-29 (in-person)**
 - Members include Catherine Alicia Georges, AARP National Volunteer President
 - Presenters included Donna Benton, Ph.D., USC Family Caregiver Support Center
 - Subcommittees of the Advisory Council are meeting
 - Expect next full meeting to be virtual

Implementation Update – Taking Action

- **ACL Request for Input – Deadline Feb. 7**
 - See <https://acl.gov/form/public-input-raise>
- **RAISE Family Caregiver Resource and Dissemination Center at National Academy of State Health Policy -**
<https://nashp.org/policy/chronic-and-complex-populations/the-raise-family-caregiver-resource-and-dissemination-center/>
- **Public listening sessions in 2020**



Key Steps to Come

- **Public input opportunities (see also previous slide)**
- **Advisory Council issues first annual report**
- **Initial strategy developed and published – informed by Advisory Council report; strategy updated biennially**
- **Law sunsets three years after enactment – Jan. 22, 2021**
 - RAISE extension being considered as part of Older Americans Act reauthorization bills

Older Americans Act (OAA)

- **First enacted in 1965**
- **Provides services for more than 11 million older adults**
- **Services include: home care, congregate and home-delivered meals, case management, family caregiver support, transportation, adult day care, legal services, elder abuse prevention, and job training and employment opportunities for low-income older adults**

Caregiving in OAA Reauthorization

- **Further strengthens the National Family Caregiver Support Program (NFCSP) by encouraging use of caregiver assessments**
 - Assessments help target services more effectively and efficiently
 - Help with maintaining the health and well-being of the caregiver, sustaining ability to provide care, producing better outcomes for their loved ones and preventing or delaying nursing home placement
- **Extends the RAISE Family Caregivers Act**
 - House 1-year extension
 - Senate 5-year extension
- **Provides increased funding levels**

Status of OAA Reauthorization

- Expired on Sept. 30
- House passed OAA reauthorization H.R. 4334, Dignity in Aging Act of 2019
- Senate introduced OAA reauthorization S. 3057, Modernization of the Older Americans Act Amendments
- AARP endorsed both bills
- House and Senate are working on compromise bill
- Goal to reauthorize early 2020
- AARP urging for prompt reauthorization

Credit for Caring Act (S. 1443/H.R. 2730)

- **Introduced by Sens. Ernst (R-IA), Bennet (D-CO), Capito (R-WV), Warren (D-MA) and Reps. Sánchez (D-CA) and Reed (R-NY) and supported by AARP**
- **Proposed nonrefundable federal tax credit for eligible working family caregivers who incur qualified expenses**
- **After paying the first \$2,000 in qualified expenses, 30% credit on qualified expenses up to maximum credit amount of \$3,000**
- **Helps with expenses such as home care, home modifications, respite care, adult day care, transportation, travel costs, assisted living and more**

Credit for Caring Act

- **Family caregiver does not have to live with the person they care for and person does not have to be a dependent**
- **Family caregivers are spouses, adult children, parents or other relationships under the “dependent” definition**
- **They help a loved one, of any age, who meets certain functional or cognitive limitations or other requirements, as certified by a licensed health care practitioner**

Credit for Caring Act



- **Phases out at higher income levels**
- **Coordinates with other existing tax provisions to prevent “double dipping”**
- **Indexes certain dollar amounts and income levels to inflation**

Respite Care

- **Family caregivers spend on average 24 hours a week caring for their loved one**
- **About 30 percent of family caregivers provide an average of 62 hours of care a week; some provide 24/7 care**
- **Respite gives family caregivers a temporary break from caregiving to rest, recharge, and take care of themselves**
- **Can extend the time an individual is cared for at home, potentially delaying costly institutional care**

Lifespan Respite Care Program

- **Lifespan Respite Care Program helps family caregivers caring for loved ones regardless of age or disability, including by providing:**
 - respite services;
 - training respite workers and volunteers;
 - information about and assistance in accessing services; and
 - better coordinating services

Lifespan Respite Care Reauthorization Act (S. 995/H.R. 2035)

- Sponsored by Sens. Collins (R-ME) and Baldwin (D-WI) and Reps. Langevin (D-RI) and McMorris Rodgers (R-WA) and supported by AARP
- Extends the Lifespan Respite Care Program through Fiscal Year 2024, authorizes increased funding for the program, and adds new reporting requirements
- H.R. 2035 passed the House
- S. 995 passed the Senate Health, Education, Labor, and Pensions (HELP) Committee
- Further action expected in 2020

Spousal Impoverishment Protections – Medicaid Home and Community-Based Services (HCBS)

- For 30+ years, federal law has required states to allow the spouses of individuals receiving Medicaid coverage for nursing home care to keep a portion of income and resources to avoid impoverishment
- States had the option to provide the same protection to the spouses of some individuals receiving services in the home and community (HCBS)
- Congress required these protections for spouses of individuals receiving Medicaid HCBS more broadly for five years that ended December 31, 2018
- Since then Congress has passed short-term extensions, most recently until May 22, 2020; Congress must act by then to ensure no lapse in protection

Spousal Impoverishment Protections – Medicaid Home and Community-Based Services (HCBS)

- If protections expire, it would put individuals at risk for losing Medicaid coverage unless they enter a nursing home; could hinder or may undermine state progress in helping individuals live in their homes and communities
- Married couples should have the same protections whether care is provided in a facility or in the community
- Protecting Married Seniors from Impoverishment Act (H.R. 1343/S. 2000) introduced by Reps. Dingell (D-MI) and Upton (R-MI) and Sen. Casey (D-PA) would make the Medicaid HCBS spousal impoverishment protections permanent - Supported by AARP

2020 – The Year Ahead in Congress

- Expect additional action on a number of these items
- Additional bills on other issues may be introduced
- Any bills not signed into law from this Congress must be reintroduced in the next Congress, starting in January 2021, for them to be considered
- You can become an AARP e-activist by registering at action.aarp.org

California Legislature – 2020 Legislative Year Outlook – Support for Family Caregivers

- Reconvened on January 6.
- Opportunities for improvement in Paid Family Leave.
- Master Plan for Aging opportunities



Paid Family Leave

California's PFL program:

- An earned benefit
- Provides up to six weeks of partial pay to eligible workers who take time off work to care for a new child or seriously ill family member. Increases to 8 weeks in July, 2020.
- Administered by the Employment Development Department (EDD).

Current Job Protections

- ✓ For workers taking bonding leave, job protections available if employed in a firm with 20 or more employees
- ✓ Job protections available for workers in larger firms (50 or more employees) – FMLA, state law
- ✓ There are NO job protections for family caregivers of adult loved ones for those working in firms with less than 50 employees, including families of deploying military (eff. 1/1/21).

Paid Family Leave Improvements Sought in 2020

- Governor Introduced his Proposed 2020-21 budget on January 10.
- He called for expanding Paid Family Leave job protections through the state budget process.
- Budget bill language due out in February.
- We will use the budget process to insure that job protections are expanded to include ***all*** caregivers.
- **Remember – sign up to take action with AARP at action.aarp.org!**

Our goals for the Governor's 2020-21 Budget Proposal

- ✓ Further expand PFL job protections for *all* caregivers (including military family members)



Taking Action to Expand Paid Family Leave Job Protections

- **Write or call the Governor's office to assert your support for expanding job protections for all types of caregivers.**
 - 916-445-2841
 - Fax – 916-558-3160
- **Contact Budget Chairs, and Budget Sub 4 Chairs**
- **Contact your Assembly and State Senate representatives**
- **Find your state representative:**
<http://findyourrep.legislature.ca.gov/>

Master Plan for Aging Input Opportunities

- **Executive Order issued on June 10, 2019**
- **Three committees plus workgroups:**
 - Stakeholder Advisory Committee
 - LTSS Subcommittee
 - Research Subcommittee
 - Additional workgroup: Equity Workgroup

LTSS Subcommittee report, which includes caregiving, is due on March 1.

Final report due on October 1, 2020

Master Plan for Aging Input Opportunities

- Receive updates, and provide input at:

- <https://www.engageca.org/>

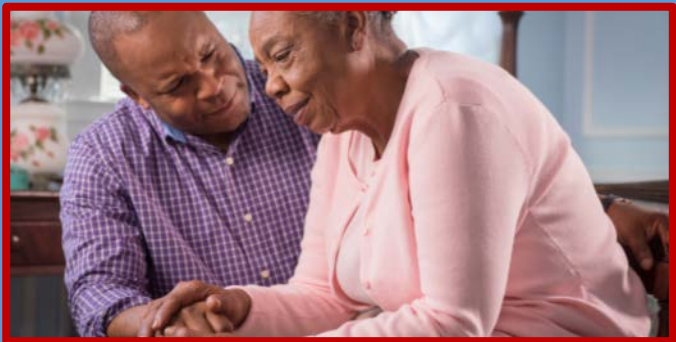
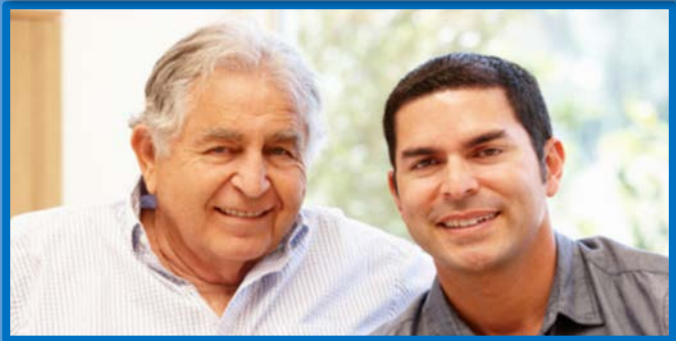
Or

- EngAGE@aging.ca.gov.

- Submit comments by mid-April to:

- EngAGE@aging.ca.gov.

Opportunities for public comment at end of every meeting.



Thank You!

Contact: NWeiler@aarp.org

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