

HB 1753 with HCA 1 -- STRUCTURED FAMILY CAREGIVING

SPONSOR: Bahr

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Health and Mental Health Policy by a vote of 8 to 1.

This bill adds structured family caregiving to the MO HealthNet Program to ensure the availability of comprehensive and cost-effective choices for a MO HealthNet participant to live at home in the community of his or her choice and to receive support from a caregiver of his or her choice. Structured family caregiving must be added as a covered home- and community-based waiver service in the Missouri aged and disabled adult waiver and the independent living waiver, subject to federal approval of any amendments to the home- and community-based waiver and the independent living waiver which are necessary to implement these provisions.

The bill specifies what the added structured family caregiving service must include.

Within 30 days of the effective date of these provisions, the MO HealthNet Division must, if necessary to implement the provisions of this section, apply to the United States Secretary of Health and Human Services for an amendment to the aged and disabled adult waiver and the independent living waiver for the purpose of including structured family caregiving as a covered service for eligible home- and community-based waiver care participants. The division must request an effective date of not later than July 1, 2017, and must take all administrative actions necessary to ensure time and equitable availability of structured family caregiving services for any home- and community-based care participant.

This bill is similar to HB 1177 (2015).

HCA #1: This amendment removes all references to the independent living waiver from the bill; adds a requirement that caregivers are added to the family care safety registry; requires that caregivers and agencies utilize telephony; requires agencies to comply with personal care attendant vendor requirements; increases the window of time during which the Department of Social Services is required to request a waiver from Health and Human Services from 30 days to 90 days; and requires the Department of Health and Senior Services to promulgate rules regarding the provisions of the bill.

PROPOSERS: Supporters say that the goal of the state plan on aging to enable more seniors and persons with disabilities to live outside of nursing homes via expansion of home- and community-based services. As caregivers the family members have no medical

training or education, thus companies provide caregiver support via a care team to ensure the best possible care is provided to the consumer. Caregivers submit a daily note to the case management system to show progress of the consumer and to ensure medications are timely received.

Testifying for the bill were Representative Bahr and Richard L. Henley, Senior Link.

OPPONENTS: Those who oppose the bill say that they are concerned about who is entering daily notes, possible fraud, the cost of the program, and if the program will even save money. The previous program had a lot of people who were supposedly receiving money but weren't actually receiving care at all.

Testifying against the bill was Missouri Health Care Association.

OTHERS: Others testifying on the bill say the bill is very similar to the current consumer-directed program. Only 10-11% of Missouri seniors are eligible for Medicaid and these services require a high level of care need for eligibility. The legislation could be improved by adding requirements similar to those used in our other home care programs.

Testifying on the bill were Missouri Alliance For Home Care and Missouri Council For In-Home Services.