

Welcome to the Legislative Update for July 31, 2009

This e-mail is provided as a courtesy of the Governor's Advisory Council on Aging. The purpose of this service is to keep Arizona's seniors and advocates for aging services informed about bills and actions taking place at the Arizona State Legislature and to highlight Congressional bills or happenings affecting older Americans. This information is intended to help you shape your own opinion about an issue and to give you the necessary resources and contacts so that you can ensure your perspective and voice are heard. *The Legislative Update is non-partisan in nature.* Thank you for your interest!

GENERAL OVERVIEW:

2010 Budget:

No 2010 budget at this time despite actions taken this week to reach an agreement. Those budget bills seeing legislative action include SB 10201029 and HB 2006-2015 which have been added to the Council's Third Special Session list. The budget bill packages include a combination of measures such as program cuts and lump sum cuts to state agencies to offset the growing deficit.

To view the 7/31/09 Budget Plan Summary from the Joint Legislative Budget Committee, go to:

<http://www.azleg.gov/jlbc/BudgetPlanSummary073109.pdf>

Legislation:

To help track legislation during the Third Special Session, the Council created the 3rd Special Session List which is being updated according to legislative actions.

3rd Special Session List:

<http://www.azcapitolreports.com/webreport.cfm?webreport=471&listid=16365&print=true>

FYI

Once the special session has ended, the Legislative Update will be provided monthly with a federal focus.

During the Third Special Session: You can still contact your policymakers. If you have a particular perspective about budget proposals being considered, you may voice your thoughts by contacting the:

Governor's Office of Constituent Services at 602-542-4331 or toll-free at 800-253-0883

Or you may **contact the legislator from your area**. If you do not know how to reach your local legislator, start at the homepage under *How do I find My Legislators* or follow the instructions provided at both the Senate and House Member links at the website.

Arizona State Legislature website: <http://www.azleg.gov/>

FEDERAL LEGISLATION:

H.R.2688

Title: Empowered at Home Act of 2009

The bill was introduced on June 3, 2009 by Representative Frank Pallone, Jr. (NJ-6); the four cosponsors are: Representative Lois Capps (CA-23), Representative Diane DeGette (CO-1), Representative Yvette Clark (NY-11) and Representative Donald M. Payne (NJ-10).

H.R. 2688 amends title XIX (Medicaid) of the Social Security Act (SSA) to revise the income eligibility level for home and community-based (HCBS) services for elderly and disabled individuals.

The bill:

- Revises the income eligibility limit for the state option to provide HCBS services under a waiver. Replaces the income limit of 150% of the poverty line with a limit of 300% of the supplemental security income (SSI) benefit rate.
- Authorizes a state to offer HCBS services under a waiver to eligible individuals that differ in type, amount, duration, or scope from the HCBS waiver services offered to other such individuals so long as they are within the scope of services for which the Secretary has authority to approve a waiver and do not include room or board.
- Increases the federal medical assistance percentage (FMAP) for the provision of HCBS services under Medicaid through the state plan amendment option.
- Directs the Secretary of Health and Human Services to report annually to Congress on state use of Medicaid state plan amendment option for HCBS services for elderly and disabled individuals.
- Directs the Secretary to award assistance grants to states electing to provide HCBS waiver services under Medicaid through the state plan amendment option.
- Reauthorizes Medicaid investment grants (currently called transformation grants) at increased funding and specifies additional permissible uses to facilitate the provision of HCBS and other long-term care (LTC) services.
- Directs the Secretary to award grants on a competitive basis to eligible states to conduct an evidence- and community-based health promotion program.
- Amends SSA title XIX, with respect to treatment of the income and resources of HCBS waiver services recipients who would otherwise be institutionalized, to repeal the state option for (thus requiring) application to such individuals of spousal impoverishment protection requirements.
- Requires states to exclude up to six months of the average cost of nursing facility services from an individual's assets or resources for purposes of eligibility for HCBS waiver services.
- Directs the Secretary, acting through the Administrator of the Centers for Medicare & Medicaid Services, to revise certain data reporting forms and systems to ensure uniform and consistent state reporting under this Act.
- Directs the Comptroller General to study and report to Congress on: (1) the provision of home health services under different state Medicaid plans; and (2) the extent to which states offer consumer self-direction of such services, or allow for other consumer-oriented policies with respect to them.

On 6/30/09, the bill was referred to the House Committee on Energy and Commerce.

For more information on this bill, go to the Thomas Website <http://thomas.loc.gov/> and enter the bill number under *Search Bill Summary & Status*.

Other News:

From the U.S. Department of Health & Human Services: Health and Human Services (HHS) Secretary Kathleen Sebelius recently reported that the U.S. has joined 141 other nations in signing off on the *United Nations Convention on the Rights of Persons with Disabilities*.

The press release can be found at:

<http://www.hhs.gov/news/press/2009pres/07/20090730a.html>

Information on Seasonal Flu:

<http://www.flu.gov/vaccine/vacresearch.html#campaign>

Contact Your Congressional Member: If you are interested in Congressional bills or wish to share your thoughts or concerns with your federal representatives, find out how to contact your congressional representatives by visiting: <http://www.house.gov/> for members of the House or <http://www.senate.gov/> for members of the Senate.

INFORMATION & RESOURCES:

From DES Division of Aging and Adult Services: The **Direct Care Workforce** has posted revised competencies at <http://www.azdirectcare.org/>. To access the latest updates, go to the *Competencies* page.

WHAT: Arizona Geriatrics Society, *Transcultural Aspects of Aging & Healthcare*
WHEN: Tuesday, August 18, 2009, 7:30 am 4:45 pm, Mesa Convention Center, 263 North Center Street, Mesa, AZ 85201
For more information:
<http://www.arizonageriatrics.org/mc/page.do?sitePageId=90747>

WHAT: Arizona Health Care Association Annual Conference & Trade Show, *Back to the Future Embracing the Past, Envisioning the Future*
WHEN: August 25-27, 2009, Renaissance Glendale Hotel, Glendale Arizona
For more information and to register: www.azhca.org/events

If you would like to submit an educational or public service event for consideration, you can do so by sending an email with the description to: gaca@az.gov.

Thank you and have a great week!
~Governor's Advisory Council on Aging