

## Welcome to the Legislative Update for June 12, 2009

This e-mail is provided weekly as a courtesy of the Governor's Advisory Council on Aging during the 2009 session of the Arizona State Legislature. The purpose of this service is to keep Arizona's seniors and advocates for aging services informed about bills and action taking place at the Legislature. The information provided is intended to help you form your own opinion about an issue and to give you the necessary resources and contacts to help ensure your perspective and voice are heard. *Please note the Legislative Update is non-partisan in nature.* We thank you for your interest!

### GENERAL OVERVIEW:

#### 2010 Budget:

The June 30<sup>th</sup> deadline is only a matter of days away but no FY 2010 budget. The Legislature passed a budget plan late last week, but that plan hasn't been forwarded to the Governor for official action. In the meantime, the Governor held stakeholder meetings on Tuesday to gather input on the legislative budget plan.

#### To review the budget plans presented:

Governor Brewer's FY 2010 budget proposal package of materials is posted at:

<http://www.azgovernor.gov/Budget2010.asp>

The JLBC summaries of the House and Senate budget plan can be found at:

<http://www.azleg.gov/jlbc/HouseSenate6-3.pdf>

<http://www.azleg.gov/jlbc/housesenatebrbsummaryw-sections060309.pdf>

<http://www.azleg.gov/jlbc/MajorFootnoteChanges6-5-09.pdf>

The House and Senate Democrats budget plan is posted at:

<http://www.strongerarizona.com/>

#### Legislation:

With only 12 working days/week days left before the end of this fiscal year, the Senate and the House have been *pushing* legislation forward. The following are *a few of the bills* from the Councils FULL List that have seen action this week or will be heard next week.

**H2344:** *Vulnerable Adults; Financial Exploitation* outlines circumstances allowing use of an incapacitated or vulnerable adult's assets in a manner that is not in the adult's best interest as: only if the superior court gives approval, or the transaction is specifically authorized by power of attorney executed by adult. The bill authorizes the court to withdraw disposition of property or appointment to any fiduciary capacity by the adult to the person guilty of financial exploitation and to sever the

interests of the adult and the guilty person. Definitions regarding financial abuse of vulnerable adults have been modified. To read the entire bill and amendments, go to:

[http://www.azleg.gov/DocumentsForBill.asp?Bill\\_Number=HB2344](http://www.azleg.gov/DocumentsForBill.asp?Bill_Number=HB2344)

**H2616:** *Living Wills; Health Care Directives* outlines that unless a person has a valid living will or has granted a power of attorney to someone else, a health care provider shall not withhold food or fluids except under specific circumstances. To read the entire bill and amendments, go to:

[http://www.azleg.gov/DocumentsForBill.asp?Bill\\_Number=HB2616](http://www.azleg.gov/DocumentsForBill.asp?Bill_Number=HB2616)

**S1311:** *End of Life Options; Right to Know* indicates that if a health care provider determines a patient has a terminal illness and the patient requests it, the provider must provide the patient with information and counseling on end-of-life options. To read the entire bill and related information as posted at the Arizona State Legislature website, go to:

[http://www.azleg.gov/DocumentsForBill.asp?Bill\\_Number=SB1311](http://www.azleg.gov/DocumentsForBill.asp?Bill_Number=SB1311)

**S1400:** *Dental Assistants; Community Oral Health*; this bill expands the list of persons that dental hygienists may perform procedures on to include a person residing in a federally designated health professional shortage area and removes the requirement that those persons receiving services must be 18 years of age or younger. To read the entire bill, go to:

[http://www.azleg.gov/DocumentsForBill.asp?Bill\\_Number=SB1400](http://www.azleg.gov/DocumentsForBill.asp?Bill_Number=SB1400)

At day 152 of the Regular 2009 Arizona Legislative Session, 1,111 bills posted, seventeen (17) passed, six (6) signed; 97 memorials and resolutions posted and two (2) passed. Please be advised that the presence of a bill on the Council's web page *does not* represent support or opposition by the Council to that bill. It *does* mean that the bill topic is something that is likely to be of interest to or have an impact on Arizona seniors so the Council is tracking the bill's progress.

#### **STATE LEGISLATION:**

Visit the link below to view the Council's web page and the list of bills the Council is tracking.

#### **FULL LIST:**

<http://www.azcapitolreports.com/webreport.cfm?webreport=364&listid=13720&print=true>

#### ***Scheduled Hearings on bills the Council is tracking include:***

**S1400:** *Dental Assistants; Community Oral Health* Hearing; Senate Healthcare and Medical Liability Reform; 6/17/09, 9:00 am Senate Rm. 1.

**H2283:** *Certified Nursing Assistants; Pilot Program*; Hearing; Senate Healthcare and Medical Liability Reform; 6/17/09, 9:00 am Senate Rm. 1.

**Reminder:** Be sure to check the Arizona State Legislature website for *updated, revised* Senate, House and Joint Legislative Budget committee agendas at:

<http://www.azleg.gov/CommitteeAgendas.asp?Body=H&ShowAll=OFF>

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The website FULL List link provides you with the current status and upcoming hearing information about the bills being tracked by the Council and is available and updated on an ongoing basis, 24 hours a day, 7 days a week. *Information about bill status, hearing, etc. is a purchased service provided by the Arizona Capitol Times.*

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***Reminder: You can contact your policymakers.*** If you have a particular perspective about budget proposals, bills or anything in a piece of legislation that is 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:**

**S.801**

**Family Caregiver Program Act of 2009**

S.801 was introduced on 4/2/2009 by Senator Daniel K. Akaka (HI); the nine cosponsors are: Senator Mark Begich (AK), Senator Richard Burr (NC), Senator Patty Murray (WA), Senator John D. Rockefeller (WV), Senator Jon Tester (MT), Senator Sherrod Brown (OH), Senator Roland Burris (IL), Senator Jack Reed (RI), and Senator Olympia J. Snowe (ME).

The bill is intended to amend title 38, United States Code, to waive charges for humanitarian care provided by the Department of Veterans Affairs to family members accompanying veterans severely injured after September 11, 2001, as they receive medical care from the Department and to provide assistance to family caregivers, and for other purposes.

S.801 directs the Secretary of Veterans Affairs to waive charges for care provided by the Department of Veterans Affairs (VA) in emergency cases to attendants

accompanying veterans severely injured while on active duty on or after September 11, 2001, while such veterans are receiving VA care for such injuries.

The bill directs the Secretary, as part of authorized VA home health services for veterans, to furnish family caregiver assistance to family members of veterans in need of personal care services due to a serious injury incurred or aggravated during active duty. Requires the Secretary to:

- (1) evaluate the services needed by each veteran;
- (2) provide training and certification to the caregivers;
- (3) designate a primary personal care attendant for each eligible veteran;
- (4) provide ongoing family caregiver assistance to such family members;
- (5) provide respite care, in appropriate cases;
- (6) pay monthly caregiver stipends;
- (7) conduct oversight of the caregiver assistance program;
- (8) provide program outreach; and
- (9) report on program implementation and evaluation.

S.801 authorizes the provision of VA health care to primary personal care attendants. The bill directs the Secretary to reimburse attendants for travel expenses, including lodging and subsistence, in connection with authorized VA treatment for veterans.

On 5/21/2009 the bill was sent to the Committee on Veterans' Affairs.

## **H.R. 2342**

### **Wounded Warrior Project Family Caregiver Act of 2009**

This bill was introduced on 5/11/2009 by Representative Michael H. Michaud (ME-2). The Act directs the Secretary of Veterans Affairs, as part of authorized Department of Veterans Affairs (VA) home health care services for veterans, to furnish to a family member or other designated individual advanced instruction and training and certification as a family caregiver for a veteran who incurred serious wounds on active duty during, or in training for, Operations Enduring Freedom or Iraqi Freedom and is determined to be in need of personal care services.

The bill requires the Secretary to provide to such caregiver:

- (1) appropriate support services; and
- (2) a monthly family caregiver allowance.

H.R.2342 authorizes the Secretary to provide medical care to such caregiver.

On May 15, 2009, the bill was referred to the Subcommittee on Health.

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

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The **U.S. Department of Health and Human Services** announced the availability of nearly \$200 million from the American Recovery and Reinvestment Act to support student loan repayments for primary care medical, dental, and mental health clinicians who want to work at National Health Service Corps (NHSC) sites.

To learn more about the application process, go to:

<http://nhsc.hrsa.gov/loanrepayment/>

To see the vacancy list per state, visit:

<http://www.hhs.gov/recovery/programs/nhsc/vacancies.html>

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**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.

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**INFORMATION & RESOURCES:**

The **Alzheimer's Association** released their 2009 ***Alzheimer's Disease Facts and Figures***. You can link to the report at:

[http://www.alz.org/alzheimers\\_disease\\_facts\\_figures.asp](http://www.alz.org/alzheimers_disease_facts_figures.asp)

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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](mailto:gaca@az.gov).

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**Thank you and have a great week!**

**~Governor's Advisory Council on Aging**

