

**Welcome to the Legislative Update for December 2014**

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 older citizens and advocates of aging services informed about bills and actions taking place at the Arizona State Legislature and to highlight Congressional bills or happenings affecting older Americans. The information is intended to help you shape your own opinion about an issue and 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!

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**January 5<sup>th</sup> - Inauguration day for Governor-Elect Doug Ducey**

Transition website: <http://2015azgctc.com/news/>

**52<sup>nd</sup> Legislative, 1<sup>st</sup> Regular Session starts Monday, January 12, 2015**

Calendar Deadlines [here](#)

Interim committee schedules [here](#)

**Plan ahead for the 52<sup>nd</sup> Legislature**

Take a look at the Arizona State Legislature website. <http://www.azleg.gov/>

Learn more about the legislative process. See [Arizona Bill](#) or **Bill to Law** provided [here](#).

Learn about the budget process [here](#).

Review the Arizona Constitution [here](#).

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**Fiscal News**

From the **Joint Legislative Budget Committee**

**JLBC Monthly Fiscal Highlights November 2014 [here](#)**

It reports "Year-to-date, General Fund revenues are 3.6% above the prior year and are \$(71.9) million below the enacted budget forecast."

**Tracking Arizona's Recovery November 2014 [here](#)**

**General Fund Budget Changes FY 2008 – FY 2015 [here](#)**

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**FEDERAL OVERVIEW:**

House passed 1.1 trillion omnibus bill with 219-206 vote yesterday. House Committee on Rules bill information and riders found [here](#).

NASUAD FY15 Budget [Chart](#) & FY2015 [Appropriations](#) (12/10/14)

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### **Updates on previously highlighted legislation**

#### **H.R. 647 ABLE Act of 2014**

Introduced on 2/13/13 by Representative Ander Crenshaw (FL-4)

#### **Achieving a Better Life Experience Act of 2013 or the ABLE Act of 2013**

Amends the Internal Revenue Code to establish tax-exempt ABLE accounts to assist an individual with a disability in building an account to pay for qualified disability expenses. Defines "qualified disability expenses" to include expenses for education, including higher education expenses, a primary residence, transportation, obtaining and maintaining employment, health and wellness, and other personal support expenses.

Treats a qualified ABLE program and an ABLE account in the same manner as a qualified tuition program for income tax purposes (i.e., allowing a tax exemption for such program and an exclusion from gross income of amounts attributable to a contributor to or a beneficiary of a program account). Defines "qualified ABLE program" as a program established and maintained by a state agency under which a person may make contributions to an ABLE account established to pay for qualified disability expenses.

Requires amounts in ABLE accounts to be disregarded in determining eligibility for Medicaid and other means-tested federal programs. Suspends the payment of supplemental security income benefits under title XVI (Supplemental Security Income) of the Social Security Act to an individual during any period in which such individual has excess resources attributable to an ABLE account.

#### **12/3/14 passed House**

#### **H.R.5515**

#### **Elder Justice Reauthorization Act – Reauthorizes the Elder Justice Act of 2009 and funding for its programs through FY2019**

Amends the Patient Protection and Affordable Care Act to reauthorize through FY2019: (1) the National Training Institute for Federal and State Surveyors, and (2) grants by the Secretary of Health and Human Services (HHS) to state agencies that perform surveys of skilled nursing facilities or nursing facilities.

#### **11/17/14 referred to the Subcommittee on Higher Education and Workforce Training**

#### **Other legislation**

#### **S.2539 Traumatic Brain Injury Reauthorization Act of 2014**

Introduced on 6/24/14 by Senator Orrin Hatch (UT)

Traumatic Brain Injury Reauthorization Act of 2014 - (Sec. 2) Amends the Public Health Service Act to reauthorize through FY2019 traumatic brain injury (TBI) prevention and surveillance or registry programs.

(Sec. 3) Reauthorizes through FY2019 the programs of grants to states and Indian consortia for TBI services, and protection and advocacy systems to provide services to individuals with TBI.

(Sec. 5) Directs the Secretary of Health and Human Services (HHS) to develop a plan for the improved coordination of federal activities with respect to TBI that will:

- review interagency coordination efforts;
- identify areas for improved coordination between federal agencies and programs, including those with a focus on serving individuals with disabilities;
- identify adopted recommendations from the report on development and improvement of TBI diagnostic tools and treatments and describe plans to address each recommendation that has not been adopted; and
- incorporate feedback from stakeholders, including individuals with TBI and their caregivers.

(Sec. 6) Directs the Centers for Disease Control and Prevention (CDC) to review the scientific evidence related to brain injury management in children and identify opportunities for research.

**11/19/2014 presented to the President**

**H.R.5780**

**Protecting the Integrity of Medicare Act of 2014**

Introduced on 12/2/2014 by Representative Kevin Brady (TX-8)

Text of bill [here](#)

**Referred to the House Energy and Commerce**

**H.R.5732**

**Stop Schemes and Crimes Against Medicare and Seniors (Stop SCAMS) Act**

Introduced on 11/18/2014 by Representative Theodore Deutsch (FL-21)

To amend title XVIII of the Social Security Act to crack down on fraud in the Medicare program to protect seniors, people with disabilities, and taxpayers.

**On 11/18/2014, referred to the committee on Energy and Commerce and Committee on Ways and Means.**

Text of bill [here](#)

**H.F.5618**

## **Veterans Health Administration Management Improvement Act**

Introduced on 9/18/2014 by Rep. Derek Kilmer (WA-6)

Veterans Health Administration Management Improvement Act - Directs the Comptroller General (GAO) to: (1) conduct a five-year management review of the Veterans Health Administration (VHA) of the Department of Veterans Affairs (VA); and (2) submit annual reports to Congress on the matters reviewed, including recommendations for improving the VHA's management.

Directs the Secretary of the VA to establish a five-year pilot program to improve the VHA's management and accountability that:

- gives VHA employees an opportunity to learn, implement, and identify successful means of advancing the VHA's management and the delivery of care and services; and
- improves the management and delivery of care and services at VA medical facilities by implementing the GAO's recommendations, and any other appropriate recommendations, regarding the VHA's planning and evaluation capabilities.

Requires the Secretary, during such pilot program, to: (1) establish an annual performance plan that uses logic modeling and risk assessment to coordinate the VA's operations with its goals; and (2) prepare an annual organization evaluation plan for the VHA that is informed by the GAO's recommendations.

Establishes an Office of the Management and Accountability Ombudsman within the VA to:

- assist the Secretary in conducting the pilot program;
- conduct inspections of VHA medical facilities, including non-VA facilities that provide VA contract care; and
- work with the Secretary and VHA employees in identifying and resolving problems with the VHA's management, administration, and delivery of care.

Directs the GAO to review each budget the President submits to Congress during 2015-2020 to evaluate the proposed budget for VA health care.

Establishes a Veterans' Bill of Rights regarding health care, which is to be prominently displayed in each VA medical facility and about which the Secretary shall conduct outreach to veterans and ensure that VA employees receive training.

### **On 10/28/2014, referred to the Subcommittee on Health**

Text of bill [here](#)

## **H.R.5676**

### **Guard and Reserve Academic Protection Act**

Introduced on 9/19/2014 by Rep. Ann Kirkpatrick (AZ-1)

Guard and Reserve Academic Protection Act - Requires the Secretary of Veterans Affairs (VA) to ensure that institutions of higher learning provide members of the National Guard or Armed Forces Reserves who are receiving educational assistance

from the VA or the military with a reasonable opportunity to complete educational assignments, tests, and other requirements that occur while they are performing: (1) inactive duty training, or (2) active duty training for less than 30 days.

**10/28/2014, referred to the Subcommittee on Economic Opportunity.** Text [here](#)

**H.R.5288**

**National Care Corps Act of 2014**

Introduced on 11/17/2014 by Representative Michelle Lujan Grisham (NM-1)

National Care Corps Act of 2014 - Establishes in the Department of Health and Human Services (HHS) the National Care Corps through which Corps Members provide certain services to individuals in need who are age 65 or older or have a disability and have difficulty with self-care.

**11/17/2014 referred to Subcommittee on Higher Education and Workforce Training**

**H.R.4731**

**Welfare Reform Act of 2014**

Introduced on 5/22/14 by Representative Jim Jordan (OH-4)

Text [here](#)

**11/17/2014 referred to Subcommittee on Higher Education and Workforce Training**

**H.Res.725**

**Commending the Departments of Defense and Veterans Affairs for their joint campaign to raise awareness during September, Suicide Prevention Month, to reduce suicide among members of the United States Armed Forces and veterans.**

Introduced on 9/15/2014 by Rep. Esty, Elizabeth H. (CT-5)

Commends the Department of Defense (DOD) and the Department of Veterans Affairs (VA) for raising awareness during Suicide Prevention Month of the life-saving resources available to those who have served, or are currently serving, in uniform.

Expresses support for the goals and ideals of National Suicide Prevention Awareness Month, The Power of 1 campaign, and efforts to improve outreach to individuals at risk for suicide.

**10/28/2014 Referred to the Subcommittee on Health.** Text provided [here](#)

Note: our thanks to intern Rachel DiSanto for helping research federal legislation during her time with us; we wish her the best!

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If you want to check on the status of any federal legislation, go to <http://beta.congress.gov/> and enter the bill number or title.

Check for **active federal legislation** at this [link](#).

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**Share your opinions with members of Congress!**

If you are interested in sharing your thoughts or concerns, find out how to contact your congressional representatives or Senators by visiting: <http://www.house.gov/> for the **House** or <http://www.senate.gov/> for the **Senate**.

Links to the membership lists are provided below.

[House](#) members

[Senate](#) members

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**You can contact the White House** at this [link](#).

ALSO: A compilation of contact information is provided at: <http://www.usa.gov/Contact/Elected.shtml>.

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**NEWS & RESOURCES**

**White House Conference on Aging** news [here](#)

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From the **United States Census Bureau**

[Mobility is Most Common Disability Among Older Americans, Census Bureau Reports](#)

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From the **Administration for Community Living**

2015 Older Americans Month theme: "Get **into the Act**." More information [here](#)

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**National Alzheimer's Project Act**

Updated information can be found at:

<http://aspe.hhs.gov/daltcp/napa/#102714Mtg>.

(Be sure to scroll down the page.)

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From the **American Society on Aging**

In the United States, 43.5 million people care for someone aged 50-plus, 14.9 million people care for someone who has Alzheimer's Disease or other dementia, and 29% of the population provides care to someone who is ill, disabled or aged. Many of these informal caregivers won't get a day off for the holidays. ***Providing Assistance to Caregivers During the Holidays*** 12/8/2014 Age Blog [here](#)

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**Department of Justice**

**Elder Justice Initiative** website: <http://www.justice.gov/elderjustice/>

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**Kaiser Health News**

**[Study: American Seniors Face Health Care Gaps, Despite Medicare](#)**

**KHN Morning Brief November 20, 2014** linked [here](#)

From **The Henry J. Kaiser Family Foundation**

***Old & Poor: America's Forgotten*** a link to the video [here](#).

**KHN** Aging 11/24/2014 article is linked [here](#).

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From the **National Council on Aging/NCOA**

\*Resources for caregivers and those they serve [here](#)

\*My Medicare Matters [resource page for veterans](#)

\*Capitol Hill briefing on long term services and supports [here](#)

\*Three vaccines to keep older adults healthy [here](#)

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From **Paraprofessional Healthcare Institute/PHI**

**November 7, 2014 Blog**

**[TOOLKIT: Supporting Greater Investment in Workforce Caring for Dual](#)**

**Eligibles**

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From **The John A. Hartford Foundation**

BETTER CAREGIVING, BETTER LIVES: Real Life Strategies and Solutions

The 2014-15 John A. Hartford Foundation Story Contest [here](#)

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**National Association of States United for Aging and Disabilities/NASUAD**

*Friday Updates, December 5, 2014*

**CMS Releases New SSI/Spousal Impoverishment Standards**

On November 25, CMS announced the new spousal impoverishment standards and income eligibility criteria for several Medicaid LTSS options. The income and resource standards are adjusted based upon the annual inflationary update to the Supplemental Security Income (SSI) federal benefit rate and the Consumer Price Index (CPI). Specifically, the updates would impact eligibility for programs such as the optional "special income level" institutional eligibility category which allows LTSS participants to qualify for Medicaid if their income is below 300% of the SSI federal benefit rate. Although this is an optional category, most states have chosen to adopt it. The bulletin also announced updated spousal impoverishment standards, which allow the husband or wife of an individual receiving Medicaid LTSS to retain a share of the couple's income and assets without affecting their spouse's eligibility. Spousal impoverishment standards are mandatory for institutional placement and were also mandated for HCBS participants in the ACA during the period lasting from 2014-2019. Standards should be updated in accordance with this information for the provisions that become effective on January 1, 2015.

[Click here](#) to view the *2015 SSI and Spousal Impoverishment Standards* chart that displays the new standards.

*Friday Updates November 21, 2014*

**Survey Results: Waiver Services for Individuals with Physical Disabilities**

NASUAD recently surveyed its members to learn which states offer waiver services for individuals with physical disabilities under age 65; and what percentage of qualifying individuals utilize these waiver services in each state.

For the states that completed the survey and provided service utilization rates:

1. An average of about 55 percent of qualifying individuals with physical disabilities under age 65 utilize home-delivered meal services;
2. An average of about 52 percent of qualifying individuals with physical disabilities under age 65 utilize personal emergency response systems (PERS) services;
3. An average of about 33 percent of qualifying individuals with physical disabilities

under age 65 utilize Adult Day Health services; and

4. An average of about 9 percent of qualifying individuals with physical disabilities under age65 utilize Adult Day Social services.

[Click here](#) to read the results of the survey.

**NASUAD Information & Referral Support Center**

November 12, 2014 Medicaid Home and Community Based Services Regulations [presentation](#)

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From **UCSF Health Workforce Research Center on Long-Term Care**

Arizona is highlighted in an issue brief: *Leader States in Personal Care Aide Training Standards* for Medicaid-funded personal care aides.

The UCSF brief is linked [here](#).

(Note: the Direct Care Workforce Initiative, a collaborative effort by DES, DHS and AHCCCS, resulted in the Principles of Caregiving training highlighted.)

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Last month was **National Family Caregiver Month**

Arizona Caregiver Coalition website: <http://www.azcaregiver.org/>

Presidential Proclamation [here](#)

Family Caregiver Alliance information [here](#)

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**Share your thoughts!** If you have a particular perspective to share with the Governor or your Legislators, you can voice your opinions by contacting the:

- **Governor’s Office of Constituent Services** at 602-542-4331 in Phoenix, 520-628-6580 in Tucson and in-state toll free at 1-800-253-0883 (outside Maricopa County only) or
- The **legislator(s) from your area**. You can locate your legislator by going to the **Arizona State Legislature [website](#)** and looking for: ***How do I find My Legislators*** or by opening the links highlighted below.
- [Members of the House](#)
- [Members of the Senate](#)

Not sure about your congressional or legislative district? **Maps** can be found on the Arizona State Legislature website linked [here](#).

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## Tracking List

If you're interested in highlighted bills tracked during the last regular session, see the link provided below.

### SHORT LIST:

<http://www.azcapitolreports.com/webreport.cfm?webreport=25362&listid=50230&print=true>

You can access the FULL LIST of all bills tracked by the Council during the last session by opening the May 30<sup>th</sup> issue of the *Legislative Update* posted [here](#). Do note the web report information found in any of our tracking lists is a purchased service provided by *Arizona Capitol Times*. Please be advised that the presence of a bill on any tracking lists *does not* represent support or opposition by the Governor's Advisory Council on Aging to the bill. It does mean that the topic is something that may be of interest to or have an impact on older Arizonans.

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### INFORMATION & RESOURCES:

#### WHAT: Guardian Workshop

**WHEN: January 13, 2015**, 2 to 5 pm, Pima Council on Aging, 8467 E. Broadway, Tucson AZ 85710

More information [here](#)

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#### WHAT: The Law and Ethics of Those with Special Needs: Fair is what Fair is

**WHEN: February 18-20, 2015**, University of Arizona College of Medicine – Phoenix, Virginia G. Piper Auditorium, 600 E. Van Buren Street, Phoenix AZ 85004

More information [here](#)

### Agenda

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#### WHAT: Annual Conference on Successful Aging; Promoting Successful Aging and Brain Health

**WHEN: Friday, February 20, 2015**, 7:30 am to 5:00 pm, Doubletree by Hilton Hotel Tucson-Reid Park

More information [here](#)

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#### WHAT: Greater Phoenix Career Expo 2015 Presented by Goodwill & Partners

**WHEN: Tuesday, February 24, 2015 Noon to 4 pm, Phoenix Convention Center**

More information [here](#)

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**Save the Date**

**CityServe Arizona's HopeFest Phoenix, April 18, 2015**

More information [here](#)

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Be sure to check the Central Arizona Dental Society's Dental Mission of Mercy website following the **December 12-13 AZMOM** for information on this year's event.

Website: <https://www.azmom.org/Index.asp>

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Just in case you're interested

Past issues of the **Legislative Updates** are linked on the Council website at: <http://www.azgovernor.gov/gaca/LegUpdates.asp>.

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You can help circulate resource information. If you would like to submit an **educational** or **public service event** for consideration, be sure to send an email with the description and a link or pdf document to: [gaca@az.gov](mailto:gaca@az.gov). (Please note: we try to include resources and events of interest to older Arizonans and aging service advocates and refrain from including fundraising or marketing materials.)

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We'll be back after the start of the next regular legislative session in January.

**Happy Holidays and Happy New Year from the Governor's Advisory Council on Aging!**



If you wish to be REMOVED from or know someone who would like to be ADDED to the Update, please send an email to: [gaca@az.gov](mailto:gaca@az.gov) and ask to be unsubscribed or subscribed to the **Legislative Update**.