

1 H.608

2 Introduced by Representatives Pugh of South Burlington, Wood of Waterbury,  
3 and Rosenquist of Georgia

4 Referred to Committee on

5 Date:

6 Subject: Human Services; Department of Disabilities, Aging, and Independent  
7 Living; seniors; Older Vermonters Act

8 Statement of purpose of bill as introduced: This bill proposes to establish an  
9 Older Vermonters Act working group that would develop recommendations for  
10 an Older Vermonters Act aligned with the federal Older Americans Act, the  
11 Vermont State Plan on Aging, and the Choices for Care program.

12 An act relating to creating an Older Vermonters Act working group

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. FINDINGS AND PURPOSE

15 (a) The General Assembly finds that:

16 (1) Vermont's demographics are shifting, with Vermonters 60 years of  
17 age or older becoming a larger percentage of the population.

18 (2) The Older Americans Act provides a blueprint for states to develop a  
19 comprehensive and coordinated system of services and supports for older

1 persons and family caregivers to support the ability of older persons to age  
2 with dignity, respect, and independence.

3 (3) The Older Americans Act tasks Vermont with taking limited  
4 resources and using them as strategically as possible, targeting services to  
5 those in the greatest economic and social need.

6 (4) The Department of Disabilities, Aging, and Independent Living, as  
7 the State Unit on Aging, is required by the Older Americans Act to develop  
8 periodically a State Plan on Aging, and the five designated Area Agencies on  
9 Aging are similarly required to develop Area Plans for their planning and  
10 service areas. The State Plan on Aging and the Area Plans outline goals and  
11 objectives for the State and the Area Agency on Aging service areas to  
12 improve services to and outcomes for older Vermonters and family caregivers.

13 (b) The purpose of this act is to establish a working group that shall  
14 develop recommendations for an Older Vermonters Act aligned with the  
15 federal Older Americans Act, the Vermont State Plan on Aging, and the  
16 Choices for Care program.

17 Sec. 2. DEFINITIONS

18 As used in this act:

19 (1) “Area Agency on Aging” means an organization designated by the  
20 State to develop a comprehensive and coordinated system of services and

1 supports for older Vermonters within a defined planning and service area of the  
2 State.

3 (2) “Choices for Care program” means the Choices for Care program  
4 contained within Vermont’s Global Commitment to Health Section 1115  
5 demonstration.

6 (3) “Family caregiver” means an adult family member or other  
7 individual who is an informal provider of in-home and community care to an  
8 older Vermonter or to an individual with Alzheimer’s disease or a related  
9 disorder.

10 (4) “Older Americans Act” means the federal law originally enacted in  
11 1965 to facilitate a comprehensive and coordinated system of supports and  
12 services for older Americans and their caregivers.

13 (5) “Older Vermonter” means an individual residing in this State who is  
14 60 years of age or older.

15 (6) “State Plan on Aging” means the plan required by the Older  
16 Americans Act that outlines the roles and responsibilities of the State and the  
17 Area Agencies on Aging in administering and carrying out the Older  
18 Americans Act.

19 (7) “State Unit on Aging” means an agency within a state’s government  
20 that is directed to administer the Older Americans Act programs and to develop  
21 the State Plan on Aging in that state. In Vermont, the Department of

1 Disabilities, Aging, and Independent Living is the designated State Unit on  
2 Aging.

3 Sec. 3. OLDER VERMONTERS ACT WORKING GROUP; REPORT

4 (a) Creation. There is created an Older Vermonters Act working group for  
5 the purpose of developing recommendations for an Older Vermonters Act that  
6 aligns with the federal Older Americans Act, the Vermont State Plan on Aging,  
7 and the Choices for Care program.

8 (b) Membership. The working group shall be composed of the following  
9 16 members:

10 (1) one current member of the House of Representatives appointed by  
11 the Speaker of the House;

12 (2) one current member of the Senate appointed by the Committee on  
13 Committees;

14 (3) the Commissioner of Disabilities, Aging, and Independent Living or  
15 designee;

16 (4) the Director of the Adult Services Division of the Department of  
17 Disabilities, Aging, and Independent Living or designee;

18 (5) the Director of the Division of Licensing and Protection of the  
19 Department of Disabilities, Aging, and Independent Living or designee;

20 (6) the Director of Health Promotion and Disease Prevention at the  
21 Department of Health or designee;

1           (7) the Executive Director of the Vermont Association of Area Agencies  
2           on Aging or designee;

3           (8) the State Long-Term Care Ombudsman;

4           (9) the State Legal Assistance Developer;

5           (10) the Executive Director of the Community of Vermont Elders or  
6           designee;

7           (11) the Director of Vermont Associates for Training and Development  
8           or designee;

9           (12) the State Director of AARP Vermont or designee;

10           (13) a representative of the Vermont Association of Senior Centers and  
11           Meal Providers, appointed by the Association;

12           (14) two older Vermonters from different regions of the State, at least  
13           one of whom shall be a member of an Area Agency on Aging advisory council,  
14           appointed by the Advisory Board established by 33 V.S.A. § 505; and

15           (15) a family caregiver of an older Vermonter, appointed by the  
16           Advisory Board established by 33 V.S.A. § 505.

17           (c) Powers and duties. The working group shall develop recommendations  
18           on the following:

19           (1) the authority and responsibilities of the Vermont Department of  
20           Disabilities, Aging, and Independent Living as a State Unit on Aging;

1           (2) the roles and responsibilities of the Area Agencies on Aging as the  
2           designated regional planning organizations serving older Vermonters and  
3           family caregivers;

4           (3) the roles and responsibilities of the network of providers of services  
5           to older Vermonters and family caregivers;

6           (4) a description of a comprehensive and coordinated system of services  
7           and supports for older Vermonters and family caregivers as envisioned by the  
8           Older Americans Act and the Choices for Care program, including supportive  
9           services, nutrition services, health promotion and disease prevention services,  
10          family caregiver services, employment services, and protective services;

11          (5) a description of how such a system would be coordinated across  
12          State agencies, provider networks, and geographic regions; and

13          (6) how to ensure that such a system would target those in greatest  
14          economic and social need.

15          (d) Assistance. The working group shall have the administrative, technical,  
16          and legal assistance of the Department of Disabilities, Aging, and Independent  
17          Living.

18          (e) Report. On or before January 1, 2020, the working group shall submit  
19          its recommendations to the House Committee on Human Services and the  
20          Senate Committee on Health and Welfare.

21          (f) Meetings.

1           (1) The Commissioner of Disabilities, Aging, and Independent Living or  
2           designee shall chair the working group and shall call the first meeting of the  
3           working group, which shall occur on or before September 15, 2018.

4           (2) The working group shall meet as often as reasonably necessary to  
5           develop its recommendations, but not less frequently than once every two  
6           months.

7           (3) The working group shall cease to exist upon submitting its report to  
8           the General Assembly on or before January 1, 2020.

9           (g) Compensation and reimbursement.

10           (1) For attendance at meetings during adjournment of the General  
11           Assembly, a legislative member of the working group serving in his or her  
12           capacity as a legislator shall be entitled to per diem compensation and  
13           reimbursement of expenses pursuant to 2 V.S.A. § 406.

14           (2) Other members of the working group who are not employees of the  
15           State of Vermont and who are not otherwise compensated or reimbursed for  
16           their attendance at meetings of the working group shall be entitled to  
17           reimbursement of expenses pursuant to 32 V.S.A. § 1010.

18           (3) Payments to members of the working group authorized under this  
19           subsection shall be made from monies appropriated to the Department of  
20           Disabilities, Aging, and Independent Living.

1       Sec. 4. EFFECTIVE DATE

2       This act shall take effect on July 1, 2018.