

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~~
21 ~~supports for older Vermonters within a defined planning and service area of the~~

1 State

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

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

9 (4) “Older Americans Act” means the federal law originally enacted in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

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

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

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

1 Aging

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

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

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

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

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

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

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

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

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

21 (7) the Executive Director of the Vermont Association of Area Agencies

1 on Aging or designee;

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

3 (9) the State Legal Assistance Developer;

4 (10) the Executive Director of the Community of Vermont Elders or

5 designee;

6 (11) the Director of Vermont Associates for Training and Development

7 or designee;

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

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

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

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

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

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

20 (2) the roles and responsibilities of the Area Agencies on Aging as the
21 designated regional planning organizations serving older Vermonters and

1 family caregivers:

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

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

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

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

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

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

19 (f) Meetings.

20 (1) The Commissioner of Disabilities, Aging, and Independent Living or
21 designee shall chair the working group and shall call the first meeting of the

1 ~~working group, which shall occur on or before September 15, 2018.~~

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

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

7 (g) Compensation and reimbursement.

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

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

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

19 Sec. 4. EFFECTIVE DATE

20 ~~This act shall take effect on July 1, 2018.~~

Sec. 1. FINDINGS AND PURPOSE

(a) The General Assembly finds that:

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

(2) The Older Americans Act provides a blueprint for states to develop a comprehensive and coordinated system of services and supports for older persons and family caregivers to support the ability of older persons to age with dignity, respect, and independence.

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

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

(5) The Vermont Futures Project estimates that Vermont will need 11,000 more workers annually to maintain the current level of economic growth. Many older Vermonters would benefit from full- or part-time employment.

(6) Many older Vermonters would also benefit from continued or increased involvement in their communities through participation in volunteer activities and opportunities for civic engagement.

(b) The purpose of this act is to establish a working group that shall develop recommendations for an Older Vermonters Act aligned with the federal Older Americans Act, the Vermont State Plan on Aging, and the Choices for Care program. The working group shall address the value of older Vermonters to the fabric of the State's communities, as well as the service and support needs that older Vermonters may have.

Sec. 2. DEFINITIONS

As used in this act:

(1) "Area Agency on Aging" means an organization designated by the State to develop a comprehensive and coordinated system of services and supports for older Vermonters within a defined planning and service area of the State.

(2) "Choices for Care program" means the Choices for Care program contained within Vermont's Global Commitment to Health Section 1115 demonstration.

(3) "Family caregiver" means an adult family member or other individual who is an informal provider of in-home and community care to an older Vermonter or to an individual with Alzheimer's disease or a related

disorder.

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

(5) “Older Vermonter” means, consistent with the Older Americans Act, an individual residing in this State who is 60 years of age or older.

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

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

Sec. 3. OLDER VERMONTERS ACT WORKING GROUP; REPORT

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

(b) Membership. The working group shall be composed of the following 15

members:

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

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

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

(4) the Director of Health Promotion and Disease Prevention at the Department of Health or designee;

(5) the Executive Director of the Vermont Association of Area Agencies on Aging or designee;

(6) the State Long-Term Care Ombudsman;

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

(8) a representative of the Vermont Association of Adult Day Services, appointed by the Association;

(9) a representative of home health agencies, appointed jointly by the VNAs of Vermont and Bayada Home Health Care;

(10) a representative of long-term care facilities, appointed by the Vermont Health Care Association;

(11) the Director of the Center on Aging at the University of Vermont or

designee;

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

(13) two older Vermonters from different regions of the State, appointed by the Advisory Board established by 33 V.S.A. § 505; and

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

(c) Powers and duties. The working group, in consultation with elder care mental health clinicians, the Vermont Chamber of Commerce, the Community of Vermont Elders, the Alzheimer's Association, AARP Vermont, the Elder Law Project at Vermont Legal Aid, the Vermont Public Transportation Association, and other interested stakeholders, shall develop recommendations on the following:

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

(2) the authority and responsibilities of the Vermont Department of Disabilities, Aging, and Independent Living with respect to the management, approval, and oversight of services provided to eligible older Vermonters through the Choices for Care program;

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

family caregivers;

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

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

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

(7) how to ensure that such a system would target those in greatest economic and social need;

(8) ways to encourage and educate older Vermonters to continue in the workforce and to become or remain involved in their communities through participation in volunteer activities and opportunities for civic engagement;
and

(9) ways to educate employers about the value of the older Vermonter talent cohort and the benefits of maintaining a multigenerational workforce, as well as identification of models that may be replicated across sectors and industries.

(d) Assistance. The working group shall have the administrative, technical,

and legal assistance of the Department of Disabilities, Aging, and Independent Living.

(e) Report. On or before December 1, 2019, the working group shall submit its recommendations to the House Committee on Human Services and the Senate Committee on Health and Welfare.

(f) Meetings.

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

(2) The working group shall meet as often as reasonably necessary to develop its recommendations, but not less frequently than once every two months ~~and for a total of not more than eight meetings.~~

(3) The working group shall cease to exist upon submitting its report to the General Assembly on or before December 1, 2019.

(g) Compensation and reimbursement.

(1) For attendance at meetings during adjournment of the General Assembly, a legislative member of the working group serving in his or her capacity as a legislator shall be entitled to per diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406 for a total of not more than eight meetings.

(2) Other members of the working group who are not employees of the

State of Vermont and who are not otherwise compensated or reimbursed for their attendance at meetings of the working group shall be entitled to reimbursement of expenses pursuant to 32 V.S.A. § 1010.

(3) Payments to members of the working group authorized under subdivision (2) of this subsection shall be made from monies appropriated to the Department of Disabilities, Aging, and Independent Living.

Sec. 4. EFFECTIVE DATE

This act shall take effect on July 1, 2018.