

H.608 - As Passed by House showing markup from Senate Proposal of Amendment

1 Sec. 1. FINDINGS AND PURPOSE

2 (a) The General Assembly finds that:3 (1) Vermont's demographics are shifting, with Vermonters 60 years of age or older
4 becoming a larger percentage of the population.5 (2) The Older Americans Act provides a blueprint for states to develop a
6 comprehensive and coordinated system of services and supports for older persons and
7 family caregivers to support the ability of older persons to age with dignity, respect, and
8 independence.9 (3) The Older Americans Act tasks Vermont with taking limited resources and using
10 them as strategically as possible, targeting services to those in the greatest economic and
11 social need.12 (4) The Department of Disabilities, Aging, and Independent Living, as the State Unit
13 on Aging, is required by the Older Americans Act to develop periodically a State Plan on
14 Aging, and the five designated Area Agencies on Aging are similarly required to develop
15 Area Plans for their planning and service areas. The State Plan on Aging and the Area Plans
16 outline goals and objectives for the State and the Area Agency on Aging service areas to
17 improve services to and outcomes for older Vermonters and family caregivers.18 (5) The Vermont Futures Project estimates that Vermont will need 11,000 more
19 workers annually to maintain the current level of economic growth. Many older Vermonters
20 would benefit from full- or part-time employment.

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

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

9 Sec. 2. DEFINITIONS

10 As used in this act:

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

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

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

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

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

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

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

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

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

12 (b) Membership. The working group shall be composed of the following **15 18**
13 members:

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

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

18 **(1)** the Commissioner of Disabilities, Aging, and Independent Living or designee;

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

21 **(3) the Commissioner of Labor or designee;**

22 **(4) the Attorney General or designee;**

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

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

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

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

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

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

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

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

14 **(13) the Executive Director of the Alzheimer's Association, Vermont Chapter, or**
15 **designee;**

16 **(14) the Director of Support and Services at Home or designee;**

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

19 **(16) a two family caregivers of an older Vermonters, one of whom is a family**
20 **member of an older Vermonter and one of whom is an informal provider of in-home**
21 **and community care,** appointed by the Advisory Board established by 33 V.S.A. § 505.

22 (c) Powers and duties. The working group, in consultation with elder care mental health
23 clinicians, the Vermont Chamber of Commerce, the Community of Vermont Elders, **the**

1 Alzheimer's Association, AARP Vermont, the Elder Law Project at Vermont Legal Aid,
2 the Vermont Public Transportation Association, and other interested stakeholders, shall
3 develop recommendations on the following:

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

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

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

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

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

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

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

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

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

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

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

12 (f) Meetings.

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

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

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

20 (g) Compensation and reimbursement.

21 **(1) For attendance at meetings during adjournment of the General Assembly, a**
22 **legislative member of the working group serving in his or her capacity as a legislator**

1 ~~shall be entitled to per diem compensation and reimbursement of expenses pursuant to~~
2 ~~2 V.S.A. § 406 for a total of not more than eight meetings.~~

3 ~~(2) Other members~~ **Members** of the working group who are not employees of the
4 State of Vermont and who are not otherwise compensated or reimbursed for their attendance
5 at meetings of the working group shall be entitled to reimbursement of expenses pursuant to
6 32 V.S.A. § 1010. **Reimbursement payments to these members**

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

10 Sec. 4. EFFECTIVE DATE

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