

Legislative Update

National Alliance for Caregiving | March 12, 2014
Advocating for Caregiving: 8th Annual National Conference of Caregiving Coalitions



Overview – Legislative Activity to Look For in 2014

In 2014, all 435 seats in the House of Representatives are in contention in November's election as well as 36 of the 100 Senate seats. Members of Congress will be less likely to take hard votes on contentious pieces of legislation in an election year and typically shorten their stays in Washington, DC, to campaign in their home states/districts. Given this legislative backdrop, here are the Alliance's priority legislative issues as Congress continues its work this year.

❖ **FAMILY Act -- Continued Media Focus and State-level Activities**

The Family And Medical Insurance Leave Act of 2013 (FAMILY Act, S. 1810/H.R. 3712) is a paid family leave bill that was co-sponsored by Senator Gillibrand (D-NY) and Representative DeLauro (D-CT). The FAMILY Act would create a national family and medical leave insurance program that would: (1) create a self-sustaining insurance fund to ensure people have paid leave for work absence under the Family and Medical Leave Act (FMLA) and (2) require an employer/employee contribution via the payroll tax. The dollars generated by the joint contribution would be used to administer the program and provide benefits similar to unemployment insurance. This year's bill is an education bill, meaning that it is being used to educate Members of Congress, the media, and the public about the need for paid family leave. It is not considered to be on an immediate track for passage. The Alliance supports this bill.

❖ **The Caregiver Advise, Record, Enable (CARE) Act – Model State Legislation**

The CARE Act is model state-level legislation created by AARP for action at the state level. Often legislation like the CARE Act is created nationally and then is circulated across states. Once a state adopts it, typically surrounding states will take it up as well. The CARE Act has three components: 1) it requires a recording of a family caregiver's name at admission to a hospital or rehabilitation facility; 2) notifies the family caregiver if a loved one is going to be discharged to another facility or home; and (3) requires a facility to provide an explanation (and instruction) of the medical tasks a patient requires that the family caregiver will likely perform at home, like medication management, injections, wound care, and transfers. Bills are currently under consideration in Oklahoma and Hawaii. The Alliance supports this bill.

❖ **Older Americans Act Reauthorization – Senate Consideration**

The Older Americans Act (OAA) funds critical services for the older adults and their caregivers, including meals, job training, senior centers, caregiver support, transportation, health promotion, benefits enrollment and more. Title III-E of the OAA, known as the National Family Caregiver Support Program (NFCSP) provides information and assistance to family caregivers, counseling and support, caregiver training and education, respite care and other supplemental services. Last fall, the Senate Health, Education, Labor and Pensions (HELP) Committee passed the OAA out of committee (S. 1562) for the full Senate's consideration. To date no further action has been taken by the Senate but consideration will hopefully occur in the near future.

❖ **The Patient Centered Quality Care for Life Act – Sub-Committee Action**

The Patient-Centered Quality Care for Life Act (H.R. 1666) is a bill that was re-introduced this Congress by Representative Emmanuel Cleaver II (D-Mo). It is an effort to begin a national dialogue on improving access to end-of-life care. To date, there is no companion bill in the Senate. The bill has four main parts: (1) directs Congress to convene a stakeholder summit to identify strategies for improving the quality of life for individuals with chronic illness; (2) establishes a national initiative to educate patients about palliative care and the services that it includes; (3) creates a training program for health care professionals; and (4) directs the National Institutes of Health (NIH) to be more intentional in developing research programs in the areas of symptom management, palliative care, psychosocial indicators and survivorship care. The bill was referred to its respective committee in the House. No subsequent action has been taken to date. The Alliance supports this bill.

Legislative Update

National Alliance for Caregiving | March 12, 2014
Advocating for Caregiving: 8th Annual National Conference of Caregiving Coalitions



❖ **The Palliative Care and Hospice Education and Training Act – Sub-Committee Action**

The Palliative Care and Hospice Education and Training Act (H.R. 1339/S.641) was re-introduced this Congress by Senator Ron Wyden (D-OR) and Representative Eliot Engel (D-NY) to address the shortage of palliative care professionals. This bill would increase educational opportunities for health care professionals including physicians and other health care professionals. The bill would create up to 24 Palliative Care Education Centers at medical schools across the country to expand interdisciplinary training, as well as establish fellowships that would provide faculty with learning experiences focused on palliative care. The bill was referred to its respective committees in the House and Senate. No subsequent action has been taken to date. The Alliance supports this bill.

For an appropriations update, see the below table from the National Respite Coalition for funding levels for key federal programs that support family caregivers (available at <http://archrespite.org/news/legislative-alerts>).

Federal Fiscal Year (FY) 2014 Budget—FINAL

Listed below are the federal funding levels for key programs that support respite and family caregiver services:

Program Name or Funding Source	Final FY 2012 Federal Budget	Final FY 2013 Federal Budget (BEFORE sequestration)	President's FY 2014 Request	Final FY 2014 Consolidated Appropriations Act (HR 3547)
Lifespan Respite	2.495 million	2.49 million	2.49 million	2.36 million
National Family Caregiver Support Program	153.9 million	153.6 million	153.6 million	145.6 million
Native American Caregiver Support Program	6.38 million	6.36 million	6.36 million	6.03 million
CAPTA Community-Based Child Abuse Prevention Grants	42 million	42 million	42 million	39.7 million
Title XX Social Services Block Grant (SSBG)	1.7 billion	1.7 billion	1.7 billion	1.7 billion**

****In the new 2014 budget, funding levels for some mandatory programs, such as the Title XX SSBG, will continue to be subject to sequestration cuts of 5.1 percent annually.**