

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1099 Session of  
1999

INTRODUCED BY SCHULER, BAKER, PISTELLA, FICHTER, STABACK,  
ARMSTRONG, GEIST, SEYFERT, SAYLOR, BARD, M. COHEN, ROSS,  
ORIE, GODSHALL, MELIO, TRELLO, CORRIGAN, ROEBUCK, RUBLEY,  
SATHER, MUNDY, HALUSKA, BARRAR, ZIMMERMAN, ROONEY, JOSEPHS,  
FRANKEL, TIGUE, ROBERTS, HERSHEY, TRUE, HARHART, FREEMAN,  
LYNCH, HERMAN, SHANER, SEMMEL, LAUGHLIN, MANDERINO, MYERS,  
E. Z. TAYLOR, BISHOP, YOUNGBLOOD, WILLIAMS, BELFANTI, STERN,  
MARSICO, CIVERA, BROWNE, STEELMAN, DAILEY, HENNESSEY, HESS,  
THOMAS, J. TAYLOR, R. MILLER, FLICK, COLAFELLA, SNYDER,  
L. I. COHEN, COSTA, SAMUELSON, TRICH AND RAMOS,  
MARCH 25, 1999

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
JUNE 9, 1999

## AN ACT

1 Directing the Department of Aging and the Department of Public  
2 Welfare to develop a study and to submit a proposed course of  
3 action to address the issue of waiting lists for persons in  
4 need of home and community-based long-term care services.

5 The General Assembly finds and declares as follows:

6 (1) There are approximately 10,500 persons in this  
7 Commonwealth on the area agency on aging waiting list for  
8 services.

9 (2) Due to many economic factors, including, but not  
10 limited to, low unemployment and low wages in home care, many  
11 communities cannot find staff to serve clients.

12 (3) From 1990 to the year 2000, it is projected that the  
13 number of persons who are 65 years of age and older and who  
14 receive home health services will increase by 13%, and that

1 for persons who are 85 years of age and older, a 39% increase  
2 is projected.

3 (4) The Department of Aging and the Department of Public  
4 Welfare shall develop a proposed course of action for the  
5 manner in which these persons can gain quicker access to the  
6 services they need in order to stay in their homes and the  
7 community and, thereby, avoid the need for cost-intensive  
8 nursing facility care.

9 The General Assembly of the Commonwealth of Pennsylvania  
10 hereby enacts as follows:

11 Section 1. Short title.

12 This act shall be known and may be cited as the Area Agency  
13 on Aging Services Waiting List Act.

14 Section 2. Definitions.

15 The following words and phrases when used in this act shall  
16 have the meanings given to them in this section unless the  
17 context clearly indicates otherwise:

18 "Council." The Intra-Governmental Council on Long-Term Care,  
19 as established in accordance with the act of June 13, 1967  
20 (P.L.31, No.21), known as the Public Welfare Code.

21 "Department." The Department of Aging and the Department of  
22 Public Welfare of the Commonwealth.

23 Section 3. Waiting list study.

24 (a) General rule.--The department shall direct and oversee a  
25 study by the council to determine the extent of the existence,  
26 Statewide, of waiting lists for services at the local area  
27 agencies on aging. Data shall be collected and published in a  
28 consistent manner for area agencies on aging.

29 (b) Contents of study.--The study shall include, but not be  
30 limited to:

1           (1) The development of a definition of waiting list,  
2 including priority-need categories.

3           (2) A review of each area agency on aging in order to  
4 identify the types of services for which individuals are  
5 waiting.

6           (3) Statistical information on any current waiting lists  
7 and projected increases in waiting lists at the local level.

8           (4) The average length of time that individuals remain  
9 on the list prior to receiving services.

10          (5) A snapshot profile of the provider community that  
11 exists in order to support the service needs identified.

12          (6) Financial information on the amount of additional  
13 Federal, State or other funds that may be required annually  
14 for the operational costs associated with the elimination of  
15 waiting lists.

16          (7) A valid random sample survey of persons on waiting  
17 lists to determine self-reported severity of need,  
18 availability of informal caregivers, approximate income,  
19 program eligibility based on that income, housing status,  
20 approximate assets and willingness to participate in cost-  
21 sharing approaches or medical assistance estate recovery to  
22 help defray the cost of services.

23          (c) Report to department.--The council shall report the  
24 results of the study to the department no later than one year  
25 from the effective date of this act.

26 Section 4. Waiting list proposed course of action.

27          (a) Development.--The department shall develop and submit to  
28 the Governor and the Aging and Youth Committee of the Senate and  
29 the Aging and Youth Committee of the House of Representatives,  
30 within one year from receipt of the study, a proposed plan of

1 action designed to address the issue of current and future  
2 waiting lists for persons in need of home and community-based  
3 long-term care services through local area agencies on aging.

4 (b) Contents.--The proposed course of action shall include,  
5 but not be limited to:

6 (1) Statistical information on the current and projected  
7 increase in the waiting list, including demographic data for  
8 individuals on the waiting lists.

9 (2) Financial information on the amount of Federal,  
10 State or other funds that may be required annually for the  
11 operational costs associated with the waiting list for home  
12 and community-based services.

13 (3) An analysis of the impact and feasibility of  
14 incorporating cost sharing into the funding of home and  
15 community-based services through the area agencies on aging.

16 (4) Information regarding the types of services for  
17 which individuals are waiting.

18 Section 5. Public input.

19 In the development of the proposed course of action required  
20 by this act, the department shall ~~ensure that public input is~~ <—  
21 ~~obtained~~ CONDUCT AT LEAST THREE PUBLIC INPUT HEARINGS TO INCLUDE <—  
22 ONE EACH IN THE EASTERN, CENTRAL AND WESTERN REGIONS OF THE  
23 STATE AND OBTAIN PUBLIC COMMENT from persons in need of home and  
24 community-based long-term care services, their families,  
25 guardians and providers of home and community-based long-term  
26 care services.

27 Section 6. Annual submission of proposed course of action.

28 The department shall update the statistical and financial  
29 data to the proposed course of action to the Governor and the  
30 Aging and Youth Committee of the Senate and the Aging and Youth

1 Committee of the House of Representatives on or before December  
2 31 of each year.  
3 Section 7. Effective date.  
4 This act shall take effect in 60 days.