



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1702

PRINTERS NO. 4151

PRIME SPONSOR: Ross

COST / (SAVINGS)

FUND	FY 2014/15	FY 2015/16
General Fund	\$0	\$0
Lottery Fund	\$0	\$0

SUMMARY: House Bill 1702, Printer's Number 4151, the Pennsylvania Community Adult Respite Services Act, creates a freestanding act authorizing the Department of Aging to license and inspect community adult respite service programs. This legislation is effective in 180 days.

ANALYSIS: This legislation requires the Department of Aging to work with Area Agencies on Aging (AAAs), licensed long-term care service providers and representatives of community senior centers to promulgate regulations governing community adult respite service programs no later than one year after the effective date. The regulations shall establish minimum standards, including, but not limited to: building, equipment, operation, care and assessment processes for functional and cognitive status of clients; staff credentials and staffing requirements; programs and services in order to implement a process for issuance of licenses and interim licenses; a licensing appeals process and establishing and collecting fees to offset the cost of issuing licenses ; a referral system for participants who are deemed ineligible and enforcement provisions. The license shall: be issued for a period of not more than 12 months; not be transferable; be issued only to the entity for the program named in the application. The applicant must identify and designate a program coordinator who shall be on site and responsible for the intake and enrollment of participants that ensures the eligibility of program participants. Program coordinators and program employees are prohibited from being assigned power of attorney or guardianship for any program participant.

A community adult respite services participant is defined as a resident of the Commonwealth who: is 60 years of age or older; can actively or passively engage in social and leisure activities with others; may demonstrate symptoms of mild cognitive impairment; does not need assistance, other than cueing, or is able to direct care for activities of daily living and does not demonstrate behavior that may compromise personal safety or the safety of others. Participants must be monitored regularly to ensure they do not become ineligible for program services. If a participant is determined ineligible, the program coordinator must provide the participant or designated person with a written notice of ineligibility and a list of community resources that may be available and work with the participant or designee and local program administrator to

develop a transition plan before disenrollment from the program. The program coordinator, with the consent of the participant or designee, shall make a referral to the AAA assess eligibility for and access to other appropriate long-term care services. The department must promulgate regulations and issue statements of policy establishing a formal appeals process for a participant determined ineligible for community adult respite services.

The department must promulgate regulations and issue statements of policy regarding emergency situations, where an immediate change in settings is needed for a participant to address an imminent threat or health or safety issue.

This legislation does not require a licensed long-term service provider to obtain a separate license for a community adult respite service program provided the licensed entity notifies the department by letter of its intent to establish and operate such a program. At the department's discretion, representatives of the local AAA may act as agents of the department to enter, visit and inspect any program licensed or requiring a license under this act.

FISCAL IMPACT: The Department of Aging does not anticipate any costs to implement this legislation unless there is a dramatic increase in the number of community adult respite service providers. The Department also has the ability to establish fees to offset the cost of licensing.

PREPARED BY: Ann Bertolino
House Appropriations Committee (R)

DATE: October 8, 2014

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.