

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. House Bill 1702

PRINTER'S NO. 4151

AMOUNT

No Adverse Fiscal Impact

FUND

General Fund

DATE INTRODUCED

September 25, 2013

PRIME SPONSOR

Representative Ross

DESCRIPTION AND PURPOSE OF BILL

HB 1702 creates a free-standing act authorizing the Department of Aging to establish, license and regulate a community adult respite services program (CARSP).

The bill defines community adult respite services as services provided or arranged for part of a 24-hour day in a community adult respite services program to support independence of participants.

The bill provides that any licensed long-term care service provider (assisted living residence; continuing-care provider; LIFE program; long-term care nursing facility; older adult daily living center; or, personal care home) shall not be required to obtain a separate license to maintain, operate or conduct a CARSP, provided that they notify the department by letter of their intent to establish and operate a CARSP, in accordance with the provisions of this act.

The bill further provides that any individual, agency, partnership, association, organization or corporate entity other than a licensed long-term care service provider wanting to obtain a CARSP license must notify the department by letter of its intent to apply for a CARSP license.

HB 1702 prohibits any entity, except for licensed long-term care service providers, from maintaining, operating, conducting or holding itself out as a CARSP without having a license issued by the department. The license issuance process is outlined as well as the power of the department to issue an interim license, and, required recordkeeping by the department.

The bill requires an applicant to identify and designate a program coordinator who shall be on site, serve as the official representative and contact for a CARSP, and be responsible for the intake and enrollment of participants through an eligibility determination process. A program coordinator and any CARSP employee shall be prohibited from being assigned power of attorney or guardianship for any participant.

HB 1702 further outlines the department's right to enter and inspect any program that is licensed or requiring a license under this act, including interviewing and evaluating participants.

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The bill provides for conditions of ineligibility of a participant and a process for disenrollment from the CARSP, including written notification to the participant or designated person, a list of available community resources, as well as an eligibility assessment by the local AAA.

HB 1702 requires the department to work in cooperation with the AAAs, representatives of licensed long-term care providers and representatives of community senior centers to promulgate regulatory guidance (regulations or statements of policy) no later than one year after the effective date. The bill provides specific areas for which they must establish minimum standards.

Finally, the bill allows individuals under age 60 who are participating in programs existing on the effective date of this act to continue to participate in such programs.

This act shall take effect in 180 days.

FISCAL IMPACT:

House Bill 1702 will have no significant fiscal impact to the Commonwealth. The Department of Aging does not anticipate any additional costs to implement this legislation.