

**SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE**

BILL NO. House Bill 753

PRINTER NO. 1052

AMOUNT

No Adverse Fiscal Impact

FUND

General Fund

DATE INTRODUCED

March 9, 2015

PRIME SPONSOR

Representative Schlegel Culver

DESCRIPTION AND PURPOSE OF BILL

HB 753 establishes the Pennsylvania Long-Term Care Council within the Department of Aging and repeals Section 212 of the Public Welfare Code pertaining to the Intra-Governmental Council on Long-Term Care.

The bills directs the Council to advise the Secretary of Aging and make recommendations on regulations, licensure and financing of long-term care, to develop and adopt rules for the organization and operation, and to create subcommittees with a focus on various issues pertaining to long-term care.

The Council consists of the following 35 members:

- Secretaries of Aging, Health, Human Services, and Transportation;
- Insurance Commissioner;
- Adjutant General;
- Executive Director of the Pennsylvania Housing Finance Agency;
- Two members of the Senate, one appointed by the President Pro Tempore and one appointed by the Minority Leader;
- Two members of the House of Representatives, one appointed by the Speaker of the House of Representatives and one appointed by the Minority Leader;
- One representative from the Pennsylvania Council on Aging;
- One member who represents the local Area Agencies on Aging;
- Six members who represent consumer advocacy groups, with at least two being consumers of long-term care services;
- One member who represents the elder law section of the Pennsylvania Bar Association;
- One member who is a licensed insurance producer with at least ten years of experience in the long-term care insurance market;

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- Seven members who represent providers throughout the long-term care continuum, with no more than one member representing a single provider group as follows: nonprofit skilled nursing facilities, for-profit skilled nursing facilities, assisted living residences or personal care homes, homecare or hospice, older adult daily living centers, senior community centers, long-term care managed care;
- Two members with caregiver experience, at least one of whom has personal experience as a family caregiver;
- Two members who represent the medical community, one of whom must be a physician with at least five years' experience in a long-term care setting and the other of whom must be a nurse with at least five years' experience in a long-term care setting;
- Two members who represent an academic research institution; and
- One member who represents the County Commissioners Association of Pennsylvania.

The bill requires the Secretary of Aging to serve as the Chairperson and appoint an executive director for the Council. The Secretary of Aging will also appoint members to committees that will focus on regulatory review and access to quality care; community access and public education; long-term care services models and delivery; work force; housing; and behavioral health issues of senior citizens who are at least 60 years of age.

The bill prohibits council members from receiving compensation for their service as council or committee members. However, non-governmental council members will be entitled to reimbursement for travel and related expenses. Committee members who are not council members are not eligible for reimbursement for expenses.

The bill stipulates that the terms of council members who serve in cabinet level positions or as public officials shall be concurrent with their appointed or elected positions. Council members appointed by the Governor will serve two, three and four-year terms. After those initial terms are completed, all members appointed by the Governor will serve four-year terms.

The bill restricts council members to serving two consecutive terms; however, members must remain on council until a successor is appointed. Any vacancies that occur on the Council will be filled by the original appointing entity.

The bill specifies that members may be removed from the Council if they fail to attend three consecutive meetings without an approval from the Chairman; or if the member no longer represents the interests of the membership class for which they were appointed.

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This act shall take effect in six months.

FISCAL IMPACT:

House Bill 753 will have no adverse fiscal impact to the Commonwealth. The Department of Aging will be required to reimburse the non-governmental members of the council for travel and related expenses. This reimbursement can be absorbed by Department of Aging's General Government Operations appropriation.