

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 1099 Session of 1999

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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 AND SAMUELSON, MARCH 25, 1999

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AS REPORTED FROM COMMITTEE ON AGING AND YOUTH, HOUSE OF  
REPRESENTATIVES, AS AMENDED, APRIL 19, 1999

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### AN ACT

1 Directing the Department of Aging to develop a study and to  
2 submit a plan to eliminate the waiting list for persons in  
3 need of home and community-based long-term care services.

4 General Assembly finds and declares as follows:

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

8 (2) Due to low unemployment and low wages in home care,  
9 many communities cannot find staff to serve clients.

10 (3) From 1990 to the year 2000, it is projected that the  
11 number of persons who are 65 years of age and older and who  
12 receive home health services will increase by 13%, and that  
13 for persons who are 85 years of age and older, a 39% increase  
14 is projected.

(4) The Department of Aging must develop a plan for the manner in which these persons can gain quicker access to the services they need in order to stay in their homes and the community and, thereby, avoid the need for cost-intensive nursing facility care.

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

Section 1. Short title.

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

Section 2. Definitions.

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

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

"Department." The Department of Aging of the Commonwealth.

Section 3. Waiting list study.

(a) General rule.--The Department of Aging shall direct and oversee a study by the council to determine the extent of the existence, Statewide, of waiting lists for services at the local area agencies on aging.

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

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

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

1 (3) The average length of time that individuals remain  
2 on the list prior to receiving services.

3 (4) A snapshot profile of the provider community that  
4 exists in order to support the service needs identified.

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

9 (6) A VALID RANDOM SAMPLE SURVEY OF PERSONS ON WAITING  
10 LISTS TO DETERMINE SELF-REPORTED SEVERITY OF NEED,  
11 AVAILABILITY OF INFORMAL CAREGIVERS, APPROXIMATE INCOME,  
12 APPROXIMATE ASSETS AND WILLINGNESS TO PARTICIPATE IN COST-  
13 SHARING APPROACHES OR MEDICAL ASSISTANCE ESTATE RECOVERY TO  
14 HELP DEFRAY THE COST OF SERVICES.

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

18 Section 4. Waiting list plan.

19 (a) Development of plan by department.--The department shall  
20 develop and submit to the Governor and the Aging and Youth  
21 Committee of the Senate and the Aging and Youth Committee of the  
22 House of Representatives, within one year from receipt of the  
23 study, a plan to eliminate current and future waiting lists for  
24 persons in need of home and community-based long-term care  
25 services through local area agencies on aging.

26 (b) Contents of plan.--The plan shall include, but not be  
27 limited to:

28 (1) Statistical information on the current and projected  
29 increase in the waiting list.

30 (2) Financial information on the amount of Federal,

1 State or other funds that may be required annually for the  
2 operational costs associated with the elimination of the  
3 waiting list for home and community-based services.

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

7 (4) Information regarding the types of services for  
8 which individuals are waiting.

9 Section 5. Public hearings and comment.

10 In the development of the plan required by this act, the  
11 department shall conduct public hearings and obtain public  
12 comment from persons in need of home and community-based long-  
13 term care services, their families, guardians and providers of  
14 home and community-based long-term care services.

15 Section 6. Annual submission of updated plan.

16 The department shall update the statistical and financial  
17 data to the plan required by this act annually and shall submit  
18 the updated plan to the Governor and the Aging and Youth  
19 Committee of the Senate and the Aging and Youth Committee of the  
20 House of Representatives on or before December 31 of each year.

21 Section 7. Effective date.

22 This act shall take effect in 60 days.