

Date of Hearing: April 23, 2019

ASSEMBLY COMMITTEE ON AGING AND LONG-TERM CARE

Adrin Nazarian, Chair

AB 1137 (Nazarian) – As Amended April 22, 2019

SUBJECT: The California Department of Aging.

SUMMARY: Establishes the Community-Based Services Network, which requires the Department of Aging (department) to enter into contracts with local area agencies to carry out the requirements of various community-based services. Specifically, **this bill**:

- 1) Requires the Department of Aging to provide area agencies on aging flexibility to develop and manage programs based on local need, which includes providing the block granting of funds for the Alzheimer's day care resource centers, the Brown Bag Program, the Foster Grandparent Program, the Linkages Program, the Respite Program, and the Senior Companion Program.
- 3) Recast and revise the parameters of specified community-based services programs.
- 4) Repeals The Senior Center Bond Act of 1984, which provided for the sale of general obligation bonds, the proceeds of which were to be used upon appropriation by the Legislature, to make awards to private nonprofit agencies for the purpose of acquiring, renovating, constructing, and purchasing of equipment for senior centers, funding startup costs of programs, or program expansion of senior center programs.

EXISTING LAW:

- 1) The Mello-Granlund Older Californians Act, establishes the California Department of Aging in the California Health and Human Services Agency, and sets forth its mission to provide leadership to the area agencies on aging in developing systems of home and community-based services that maintain individuals in their own homes or least restrictive homelike environments.
- 2) Requires the department to develop minimum standards for service delivery, and requires those standards to ensure that a system meets specified requirements, including that it has cost containment and fiscal incentives consistent with the delivery of appropriate services at the appropriate level.

FISCAL EFFECT: This bill has not yet been analyzed by a fiscal committee.

COMMENTS:

According to the author "AB 1136 is an effort to update and modernize the Older Californian Act which has not been update since the 1990s. Consequently, it still contains several outdated sections, with language that needs updating to reflect the changing paradigms in service delivery and efforts to serve older people."

Congress passed the Older Americans Act (OAA) in 1965 in response to concerns by policymakers about a lack of community social services for older persons. The original legislation established authority for grants to states for community planning and social services,

research and development projects, and personnel training in the field of aging. The law also established the Administration on Aging (AoA) to administer the newly created grant programs and to serve as the Federal focal point on matters concerning older persons.

Federal Paradigm Shift:

In 2012, the U.S. Department of Health and Human Services (HHS) established the Administration for Community Living (ACL), bringing together the Administration on Aging (AoA), the Administration on Intellectual and Developmental Disabilities (AIDD), and the HHS Office on Disability. The ACL serves as the Federal agency responsible for increasing access to community supports, focusing resources on the unique needs of older Americans and people with disabilities across the lifespan. ACL focuses on meeting the needs of both the aging and disability populations, enhancing access to quality health care and LTSS for all individuals, and promoting consistency in community living policy across other areas of the federal government.

The California Department of Aging: Time for a California Paradigm Shift?

The California Department of Aging (CDA) was established as the State Unit on Aging responsible for administration of Older American Act programs. Enacted in 1980, the Older Californians Act (OCA) authorized California-specific programs serving older adults in their homes and communities, with eligibility based primarily on age, not solely on need. Since 1980, the legislature has amended OCA several times to reflect the changing population and emerging service delivery needs. Despite these amendments, the OCA still contains several outdated sections, with language that needs updating to reflect the changing paradigms in service delivery. Many of the authorized OCA programs receive no state general fund support, and some have never been implemented due to lack of resources.

The Department of Aging administers a number of programs in addition to those authorized through the Older Americans Act, including the Community Based Adult Services program (CBAS-formerly known as Adult Day Health Care); the Multipurpose Senior Services Program (MSSP); the Health Insurance Counseling and Advocacy Program (HICAP); and, the Long-Term Care (LTC) Ombudsmen program, and the Aging and Disability Resource Connections program (ADRC).

The OCA specifies that CDA shall ensure that programs and services provided through the Older Americans Act and the Older Californians Act in each planning and service area are available to all older adults regardless of physical or mental disabilities, language barriers, cultural or social isolation, including that caused by actual or perceived racial and ethnic status, ancestry, national origin, religion, sex, gender, identity, marital status, familial status, sexual orientation, or by any other basis or by association with a person or persons with one or more of these actual or perceived characteristics, that restrict an individual's ability to perform normal daily tasks or that threaten his or her well-being.

REGISTERED SUPPORT / OPPOSITION:

Support

Alzheimer's Association
California Long-Term Care Ombudsman Association

Opposition

None on file.

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