

Date of Hearing: April 21, 2015

ASSEMBLY COMMITTEE ON AGING AND LONG-TERM CARE

Cheryl Brown, Chair

ACR 49 (Weber) – As Introduced March 19, 2015

**SUBJECT:** California Senior Bill of Rights

**SUMMARY:** Resolves that the Legislature should support of older Californians by continuing the state's commitment to them in specified ways. Specifically, **this resolution:**

Establishes or resolves that older Californians:

- 1) Have worked all their lives to provide for their families, build our state, and defend our nation, and thus deserve a dignified, secure and independent retirement for their contributions.
- 2) The number of Californians aged 60 and older is anticipated to reach 12 million by 2030.
- 3) Many older Californians are living longer and working longer than in past generations.
- 4) Older Californians rely heavily on local, state and federal services such as Social Security, Medicare, Medi-Cal, and In-Home Supportive Services (IHSS), to meet their financial, health and social need to be independent, safe, and to maintain a dignified life.
- 5) The programs and services upon which they rely today will become even more important as the population expands in future years.
- 6) Older Californians have more to lose in times of economic downturn and are subject to greater instances of poverty hunger and homelessness.
- 7) Older Californians are increasingly subjected to fraud, scams, exploitation and abuse which deprives them of dignity, financial security, and access to quality health care.
- 8) The Legislature recognizes the contributions and sacrifices older people have made to the state and also recognizes the threats that older people confront.
- 9) The Legislature and the people of the state should today and into the future, unwaveringly uphold and protect the dignity and independence of older Californians by continuing the state's commitment to:
  - a. Financial security;
  - b. Quality and affordable health care and long-term care;
  - c. Protection from exploitation;
  - d. A strong economy; and,
  - e. Independence through safe, livable communities with adequate housing and transportation.

**EXISTING LAW:**

- 1) Establishes the Older Americans Act (OAA) in 1965, and amended most recently in 2006, in response to concern 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.
- 2) Establishes the Mello-Granlund Older Californians Act, that reflects the policy mandates and directives of the Older Americans Act of 1965, as amended, and sets forth the state's commitment to its older population and other populations served by the programs administered by the California Department of Aging.

**FISCAL EFFECT:** ACR 49 does not carry the force of law, and therefore does not carry a fiscal impact.

**Author's Statement:** "I generally work on issues at the beginning of life – childcare, early education, K-12. But, as a young graduate student, I acted as a social worker in Los Angeles, providing assistance low-income seniors. This is where I became sensitized to what older Californians face. We as policy makers need to recommit to finding solutions to challenges, needs and imperatives of California's increasingly aging population. Older Californians have worked hard all their lives to provide for their families, build our state and defend our nation. Accordingly, for their years of service and contribution, they deserve a dignified, secure, and independent retirement. ACR 49 acts as a reminder of what we owe to older Americans and, as their representatives, what are obliged to work for on their behalf."

**Background on the Older Americans Act:** Older individuals receive services under many other Federal programs, though the OAA is considered to be the major vehicle for the organization and delivery of social and nutrition services to this group - and their caregivers. It authorizes a wide array of service programs through a national network of 56 state agencies on aging, 629 area agencies on aging, nearly 20,000 service providers, 244 Tribal organizations, and 2 Native Hawaiian organizations representing 400 Tribes. The OAA also includes community service employment for low-income older Americans; training, research, and demonstration activities in the field of aging; and vulnerable elder rights protection activities. The stated purpose of the OAA is to ensure equal opportunity to the fair and free enjoyment of: adequate income in retirement; the best possible physical and mental health services without regard to economic status; suitable housing; restorative and long term care; opportunity for employment; retirement in health, honor, and dignity; civic, cultural, educational and recreational participation and contribution; efficient community services; immediate benefit from proven research knowledge; freedom, independence, and the exercise of self-determination; and protection against abuse neglect and exploitation.

**Background on the Older Californians Act (OCA):** Also so known as the "Mello-Granlund Older Californians Act," the "OCA" declares that older individuals constitute a fundamental resource of the state that previously has been undervalued and poorly utilized, and that ways must be found to enable older individuals to apply their competence, wisdom, and experience for the benefit of all Californians. The act continues by declaring that there is a continuing increase

in the number of older individuals in proportion to the total population; that the social and health problems of older individuals are further compounded by inaccessibility to existing services and by the unavailability of a complete range of services. The Act further states that services to older individuals are administered by many different agencies and departments at both the state and local level, the planning and delivery of these services is not carried out with any degree of coordination among those agencies, and that enhanced coordination reduces duplication, eliminates inefficiencies, and enhances service delivery for the consumer. The indictment of California's incomplete continuum of services by declaring that the ability of the constantly increasing number of aged in the state to maintain self-sufficiency and personal well-being with the dignity to which their years of labor entitle them and to realize their maximum potential as creative and productive individuals are matters of profound importance and concern for all of the people of this state.

**COMMENTS:** ACR 49 speaks to an unavoidable, robust and increasingly vocal cohort of the population - the elderly (many referred to as "Baby-boomers," those born between 1946 and 1964 and "Greatest Generation" those born before 1946), and the values our society has, and continues to develop with regard to them. The human aging process is synonymous with life itself, though our perceptions of the elderly are often clouded by ageism, and thus, generally, we fear growing older, and often refer to those who are still "sharp" to be fortunate exceptions to the "rule."

California last addressed the needs of an aging population in a strategic way in 2003 when the Health and Human Services Agency produced "Strategic Plan for an Aging California Population: Getting California Ready for the 'Baby Boomers.'" At the time, it was observed that programs and services geared toward the aged have developed over time on an incremental basis, with little strategic planning. Demographic projections at the time indicated that California's older population will explode during the next three decades. Indeed, in 2011, Baby Boomers began turning 65, (two every three minutes in the state-about 1,000 per day), a pace that will continue for another 14 years. This highly educated segment of the population, with strong earning power, is consequently being replaced by a population struggling in an economy that offers less earning power. Between 2003 and 2020, the over 65 population will have increased 74 percent while the under 65 population will have grown by only 24 percent. Just as the "Baby Boom" generation had an impact on the educational system and the labor market, this large cohort of 21<sup>st</sup> century elders will strain services and programs designed for a 20<sup>th</sup> century elderly population.

The aging of the population will bring about a nationwide wave of lifestyle changes, opening of new markets, and conclusions of others, shifts in real estate prices, potential increases in the cost of health, custodial, and long-term care, while placing heavy caregiving demands on a smaller number of younger family members and others available to provide support. The enormous burden of paying for services that are not planned for individually will be borne by a decreasing number of workers, which underscores the prudent objectives of legislators engaged in reforming today's systems of care. In a state where every 5<sup>th</sup> person is "silver-haired" as opposed to the one we are accustomed to today where every 9<sup>th</sup> or 10<sup>th</sup> person is silver-haired, every aspect of life is likely to be transformed. Housing demands may be turned upside down as elders rush to smaller, more compact living quarters. Transportation systems may be transformed, driverless cars being only one aspect of the transformation, as more drivers with eye-sight deficiencies flock to roads and highways. A larger cohort of vulnerable people will create opportunities for unscrupulous endeavors as well, and this will impact our justice system.

ACR 49 is a message to Legislative colleagues that the recent economic downturn had a disproportionate impact upon services relied upon by older people, and that their sacrifices are acknowledged and honored, as the state moves forward into a new era.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California State Council of the Service Employees International Union (SEIU) – Co-Sponsor  
United Long-Term Care Workers Union (SEIU-ULTCW) – Co-Sponsor  
American Association of Retired Persons (AARP)  
California Association of Public Authorities (CAPA)  
United Domestic Workers of America UDW/AFSCME Local 3930

**Opposition**

None on file.

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