

Date of Hearing: July 9, 2019

ASSEMBLY COMMITTEE ON AGING AND LONG-TERM CARE

Adrin Nazarian, Chair

SB 453 (Hurtado) – As Amended July 2, 2019

SENATE VOTE: 38-0

SUBJECT: Older adults

SUMMARY: Requires the California Department of Aging (CDA) in consultation with the Aging and Disability Resource Connection (ADRC) Advisory Committee, to develop a core model of best practices by July 1, 2020, which ADRC programs will then be required to implement by July 1, 2022; updates the ADRC Infrastructure Grants Program, and requires CDA to administer the program; and requires CDA to take specified actions regarding the implementation of the No Wrong Door (NWD) system, as provided. Specifically, **this bill:**

- 1) Provides that ADRC programs operated by area agencies on aging (AAAs) and independent living centers (ILCs) on the local level assist older adults, caregivers, and persons with disabilities in accessing LTSS programs.
- 2) Requires provisions related to ADRCs and the NWD system to be implemented by CDA, in collaboration with the Department of Rehabilitation (DOR) and the Department of Health Care Services (DHCS).
- 3) Requires CDA to assist interested and qualified AAAs and ILCs in completing the application to be designated as an ADRC program.
- 4) Requires CDA, in consultation with the ADRC Advisory Committee, to develop and report to the Legislature, by July 2, 2020, and every 3 years thereafter, a core model of best practices for ADRC programs to be considered in the development and continued updating of a master plan on aging. Further requires CDA and the Advisory Committee to consider, at a minimum, all of the following practices in their development of this core model:
 - a) A person-centered counseling process;
 - b) Public outreach and coordination with key referral sources, including but not limited to, caregiver resource centers (CRCs), the medical centers of the U.S. Department of Veteran Affairs, acute care systems, local 211 programs, local multipurpose senior service programs, Programs of All-Inclusive Care for the Elderly (PACE), adult day care services, and LTSS providers;
 - c) A formal follow up procedure to ensure that services for which a person received a referral were received and methods for correcting service provision if needed;
 - d) A model for the best ways for AAAs and ILCs to share necessary data and client information; and
 - e) A model for the collection and reporting of data to the CDA, which shall include, but not be limited to, the demographic information for each individual counseled, the number of consumers served by category of service, and the number of caregivers served.

- 5) Requires the department to review implementation of the ADRC infrastructure grant program for consideration in developing and updating the best practices model.
- 6) Requires ADRC programs to implement the core model of best practices, as determined by CDA and the advisory committee, by July 1, 2022.
- 7) Makes a technical correction to the No Wrong Door definition by applying the definition to the article instead of only the grants infrastructure section.
- 8) States that it is the intent of the Legislature that the No Wrong Door system described herein that serves seniors and individuals with disabilities do all of the following:
 - a) Provide consumers and their caregivers access to information and services, regardless of income or benefit level;
 - b) Enables an ADRC program to directly connect a client to appropriate local programs; and
 - c) Provide each consumer in California with access to individualized support and community resources to meet their needs and to enable them to continue living in their own homes, if desired.
- 9) Requires the ADRC Advisory Committee to serve as the primary adviser to CDA, DOR, and DHCS in the ongoing development and implementation of the NWD system and provides that the advisory committee may utilize CDA staff as needed to accomplish its purposes. Further requires the advisory committee to expand its membership as necessary to include the perspective of all relevant stakeholders.
- 10) Upon the request of CDA or any task force appointed for the purpose of developing and updating a master plan on aging, the ADRC Advisory Committee consult with and offer input regarding the development and updating of that master plan.
- 11) Requires CDA, in consultation with the advisory committee, to do all of the following:
 - a) Develop a plan for, and oversee the phased statewide implementation of, the NWD system that utilizes the ADRC program to assist older adults and people with disabilities to obtain accurate information and timely referrals to appropriate community services and supports. Requires this plan include near and long-term tactics for statewide implementation;
 - b) Serve as a statewide facilitator, coordinator, and policy development resource on the ADRC program and NWD system;
 - c) Identify mainstream resources, benefits, and services that can be accessed for the NWD system;
 - d) Create partnerships among state agencies and departments, local government agencies, the Federal Administration for Community Living, the Federal Centers for Medicare and Medicaid Services, and the Federal Veterans Health Administration;

- e) Coordinate existing funding and applications for competitive funding, while also exploring avenues for future funding, including but not limited to, Medicaid and Federal Veterans Health Administration funding;
 - f) Make policy and procedural recommendations to the Legislature and other governmental entities;
 - g) Consider the expansion of the “no wrong door” approach to programs and policies outside of the California Health and Human Services Agency; and
 - h) Report to the Governor and the Legislature on the NWD system and its implementation.
- 12) Requires DHCS, in consultation with CDA and the advisory committee, to determine if the Medicaid administrative claiming process may be used to fund the NWD system, or activities associated with the NWD system, including but not limited to, outreach, person-centered counseling, training, program planning, and quality improvement. Further requires DHCS to report the determination made regarding the Medicaid administrative claiming process to the Legislature by January 1, 2021.
- 13) Requires DHCS and CDA to take necessary action to receive Medicaid administrative claiming funding, if DHCS identifies activities for which the Medicaid administrative claiming process is available.

EXISTING LAW:

- 1) The Mello-Granlund Older Californians Act establishes the California Department of Aging, (CDA) and states that the mission of the department is 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. (*WIC 9000 et seq.*)
- 2) Vests in the Department of Rehabilitation (DOR) the responsibility and authority to encourage the planning, development, and funding of independent living centers, which are private, nonprofit organizations that provide specified services to individuals with disabilities, in order to assist those individuals in their attempts to live fuller and freer lives outside institutions. (*WIC 19000 et seq.*)
- 3) Establishes the Medi-Cal program, administered by the State Department of Health Care Services (DHCS), under which qualified low-income individuals receive health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. (*42 USC 1396 et seq.*)
- 4) Establishes an ADRC program to provide information to consumers and their families on available long-term services and supports (LTSS) programs and to assist older adults, caregivers, and person with disabilities in accessing LTSS programs at the local level. (*WIC 9120(a)*)
- 5) Requires area agencies on aging (AAAs) and independent living centers (ILCs) to be the core local partners in developing ADRC programs. (*WIC 9120(c)*)

- 6) Requires an ADRC provide services within the geographic area serviced and provide information to the public about services provided by the programs. (*WIC 9120(e)*)
- 7) Requires the ADRC program to be administered by the CDA, in collaboration with DOR and DHCS, and further provides that provisions related to ADRCs shall only become operative contingent upon the appropriation of funds for that purpose by the Legislature. (*WIC 9120(b) and (f)*)

FISCAL EFFECT: According to the Senate Appropriations Committee, SB 453 as amended April 25, 2019:

- CDA would require additional personnel to develop and implement the No Wrong Door system. This would cost the department \$652,000 for the additional personnel to plan and manage the policy development, develop regulations, provide technical assistance, serve on the advisory committee, track and report specified data, research and analyze issues presented by stakeholders, coordinate logistics for meetings, and analyze information to provide to the consultant. (GF)
- Up to \$500,000 would be needed for consultant services for an industry expert who would provide consultation, guidance, and structure to the development and planning phases of the NWD system. (GF)
- Minor and absorbable costs to CDA for administering the proposed ADRC Infrastructure Grants Program.
- In FY 2021-22 and ongoing, CDA would need \$1.15 million for additional personnel to implement and manage the policy development and technical assistance for increased access to community resources in collaboration with CDA stakeholders; to oversee the compliance of program and fiscal performance requirements; to develop and provide technical assistance materials to ADRCs; to research and analyze issues, policies, procedures, and best practices in increasing access to the ADRC program; to conduct outreach and education efforts; to track and report data; to monitor ADRCs for compliance; and to provide administrative support at all ADRC meetings.

COMMENTS:

According to the author, “SB 453 will provide much needed support to older adults and individuals with disabilities by connecting them to local resources. ADRCs help older adults and those living with disabilities, as well as their caregivers and family members, navigate the myriad of services and supports by using the “No Wrong Door” model, through which people are connected to services within their communities, regardless of income level or other program criteria. This model reduces the frustration, delays and barriers often experienced when people seek access. More Californians should have access to the help of an ADRC, which is why SB 453 seeks to help interested AAAs and ILCs form ADRCs, while also requiring CDA to work with the ADRC Advisory Committee to further develop a NWD system in California.” The author notes that the importance of ADRCs and the development of an expanded NWD system in California became apparent to her during the Senate Human Services Committee’s informational hearing on caregivers.

ADRC programs are intended to act as a No Wrong Door system. This means when a person contacts an ADRC program they are connected with what they need regardless of their age, income, or disability. ADRC programs do this by building upon the strengths of existing community service providers and removing the multiple intake and assessment processes. Additionally, any individual within the ADRC program's geographical area may contact the ADRC program for services. There are no eligibility requirements for contacting the ADRC program, although access to specific services will be dependent upon that program's eligibility requirements. The ADRC serves as a critical clearinghouse of information.

DRC writes in support, that "By requiring the development of a core model of best practices for ADRC programs in this bill and utilizing the NWD model will serve to better ensure that the programs will be more effective in connecting older adults and persons with disabilities with the services and supports that are person-centered and focused on home and community-based care."

The Budget Act of 2019-20 contains \$5 million to fund the Aging and Disability Resource Connection (ADRC) Infrastructure Grants Program for the purpose of implementing a No Wrong Door System, to be implemented by CDA.

RELATED AND PRIOR LEGISLATION:

SB 228 (Jackson, 2019) requires the Governor to appoint a Master Plan Director and a 15-member Aging Task Force to prepare for the aging of its population and to develop a master plan for aging.

SB 512 (Pan, 2019) establishes the California LTSS Benefits Board and requires the Board to manage and invest revenue deposited in the California LTSS Benefits Trust Fund, which is also created by SB 512, for the purpose of financing LTSS for eligible individuals.

AB 1287 (Nazarian, 2019) would require the development of a plan and strategy for the statewide implementation of the No Wrong Door system and the development of a universal assessment tool to assist older adults, people with disabilities, and caregivers in obtaining accurate information and appropriate community services and supports. AB 1287 is set to be heard in the Senate Human Services Committee.

AB 1200 (Cervantes), Chapter 618, Statutes 2017 established an ADRC program to provide information to consumers and their families on available LTSS programs and to assist older adults, caregivers, and persons with disabilities in accessing LTSS programs at the local level.

REGISTERED SUPPORT / OPPOSITION:

Support

AARP
California Association of Area Agencies on Aging (C4A)
Disability Rights California

Opposition

None on file.

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