

AMENDED IN ASSEMBLY AUGUST 1, 2016

AMENDED IN SENATE JANUARY 26, 2016

AMENDED IN SENATE JANUARY 4, 2016

SENATE BILL

No. 547

Introduced by Senator Liu

(Principal coauthor: Assembly Member Brown)

February 26, 2015

An act to add Division 121 (commencing with Section 152000) to the Health and Safety Code, relating to aging.

LEGISLATIVE COUNSEL'S DIGEST

SB 547, as amended, Liu. Aging and long-term care services, supports, and program coordination.

Existing law establishes the California Health and Human Services Agency consisting of the Departments of Aging, Child Support ~~services, Services, Community Services and Development, Developmental Services, Health Care Services, Managed Health Care, Public Health, Rehabilitation, Social Services, and State Hospitals. Hospitals, among other entities.~~

Existing law sets forth legislative findings and declarations regarding long-term care services, including that consumers of those services experience great differences in service levels, eligibility criteria, and service availability that often result in inappropriate and expensive care that is not responsive to individual needs. Those findings and declarations also state that the laws governing long-term care facilities have established an uncoordinated array of long-term care services that are funded and administered by a state structure that lacks necessary integration and focus.

This bill, among other things, would create the Statewide Aging and Long-Term Care Services Coordinating Council, chaired by the Secretary of California Health and Human Services, and would consist of the heads, or their designated representative, of specified departments and offices. The secretary would have specified responsibilities, including, but not limited to, leading the council in the development of a state aging and long-term care services strategic plan to address how the state will meet the needs of the aging population in the years 2020, 2025, and 2030. The bill would require the strategic plan to be submitted to the Secretary of the Senate, the Chief Clerk of the Assembly, and the chairs of specified policy and fiscal committees of the Legislature by July 1, 2018. *The bill would authorize the Secretary of California Health and Human Services to accept grants or donations, real or in-kind, to support the operation of the Statewide Aging and Long-Term Care Services Coordinating Council and the development of the state aging and long-term care services strategic plan.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) The California Health and Human Services Agency consists
- 4 of the following departments: the California Department of Aging,
- 5 the Department of Community Services and Development, the
- 6 State Department of Developmental Services, the State Department
- 7 of Health Care Services, the Department of Managed Health Care,
- 8 the State Department of Public Health, the Department of
- 9 Rehabilitation, the State Department of Social Services, and the
- 10 State Department of State Hospitals.
- 11 (b) The agency also includes the Emergency Medical Services
- 12 Authority, the Office of Health Information Integrity, the Office
- 13 of Patient Advocate, the Office of Statewide Health Planning and
- 14 Development, the Office of Systems Integration, the Office of Law
- 15 Enforcement Support, and the State Council on Developmental
- 16 Disabilities.
- 17 (c) California baby boomers are turning 65 years of age at the
- 18 highest rate in the nation, and over 20 percent of California's
- 19 population will be 65 years of age or older by 2030.

1 (d) Among persons 65 years of age and older, an estimated 70
2 percent will use long-term services and supports (LTSS).

3 (e) Persons who are 85 years of age or older are the fastest
4 growing segment of the United States population, and they are
5 four times more likely to need LTSS than persons who are 65 years
6 of age or older, but younger than 85 years of age.

7 (f) People are living longer, and the aging population is
8 increasingly diverse.

9 (g) A report by the Senate Select Committee on Aging and Long
10 Term Care on January 5, 2015, called, “A Shattered System:
11 Reforming Long-Term Care in California. Envisioning and
12 Implementing an IDEAL Long-Term Care System in California,”
13 found that the state’s system of 112 aging *and* long-term care
14 programs administered by 20 agencies and departments is almost
15 impossible for consumers to navigate.

16 (h) Other deficiencies of the system include the lack of
17 person-centered care, poor transitions from hospital to home or to
18 other institutions, limited access to a range of services that enable
19 aging in place, deficiency of services and supports in rural areas,
20 limited cultural competency, skilled workforce shortages across a
21 range of disciplines, the lack of uniform data, the lack of a universal
22 assessment tool, and limited caregiver supports.

23 SEC. 2. Division 121 (commencing with Section 152000) is
24 added to the Health and Safety Code, to read:

25
26 DIVISION 121. AGING AND LONG-TERM CARE
27 SERVICES, SUPPORTS, AND PROGRAM COORDINATION
28

29 152000. The Secretary of California Health and Human
30 Services shall be responsible for all of the following:

31 (a) Inter- and intra-agency coordination of state aging and
32 long-term care services, supports, and programs.

33 (b) Ensuring efficient and effective use of state funds.

34 (c) Maximizing the drawdown, and the efficient and effective
35 use of federal funds.

36 152001. There is hereby created a Statewide Aging and
37 Long-Term Care Services Coordinating Council, chaired by the
38 Secretary of California Health and Human Services, and consisting
39 of the heads, or their designated representative, of all of the
40 following:

- 1 (a) The California Department of Aging.
- 2 (b) The Department of Community Services and Development.
- 3 (c) The Department of Consumer Affairs.
- 4 (d) The Department of Food and Agriculture.
- 5 (e) The Department of Human Resources.
- 6 (f) The Department of Insurance.
- 7 (g) The Department of Justice.
- 8 (h) The Department of Motor Vehicles.
- 9 (i) The Department of Rehabilitation.
- 10 (j) The Department of Transportation.
- 11 (k) The Department of Veterans Affairs.
- 12 (l) The Emergency Medical Services Authority.
- 13 (m) The Employment Development Department.
- 14 (n) The Office of Health Information Integrity.
- 15 (o) The Office of Law Enforcement Support.
- 16 (p) The Office of Patient Advocate.
- 17 (q) The Office of Statewide Health Planning and Development.
- 18 (r) The Office of Systems Integration.
- 19 (s) The State Department of Developmental Services.
- 20 (t) The State Department of Health Care Services.
- 21 (u) The State Department of Public Health.
- 22 (v) The State Department of Social Services.

23 152002. (a) The secretary shall lead the council in the
24 development of a state aging and long-term care services strategic
25 plan to address how the state will meet the needs of the aging
26 population in the years 2020, 2025, and 2030. The strategic plan
27 shall incorporate clear benchmarks and timelines for achieving the
28 goals set forth in the strategic plan and a cost and benefit analysis
29 for each goal or recommendation included in the plan. In
30 developing the strategic plan, the council shall consult with all of
31 the following:

- 32 (1) Experts, researchers, practitioners, service providers, and
33 facility operators in the field of aging and long-term care.
- 34 (2) Consumer advocates and stakeholders, including the
35 Olmstead Advisory Committee, the California Commission on
36 Aging, area agencies on aging, the State Council on Developmental
37 Disabilities, the California Foundation for Independent Living
38 Centers, and the Milton Marks “Little Hoover” Commission on
39 California State Government Organization and Economy.

1 (3) Rural and urban communities, in order to identify
2 infrastructure capacity issues, the need for uniform access standards
3 for home and community-based services, and mechanisms for
4 supporting coordination of regional and local service access and
5 delivery.

6 (4) The California Task Force on Family Caregiving, the
7 findings and recommendations of which shall be incorporated into
8 the strategic plan.

9 (b) Technical support for the development of the strategic plan
10 shall be provided by the Office of Health Equity in the State
11 Department of Public Health and by the California Department of
12 Aging.

13 (c) The strategic plan shall address all of the following:

14 (1) Integration and coordination of services that support
15 independent living, aging in place, social and civic engagement,
16 and preventative care.

17 (2) Long-term care financing.

18 (3) Managed care expansion and continuum of care.

19 (4) Advanced planning for end-of-life care.

20 (5) Elder justice.

21 (6) Care guidelines for Alzheimer’s disease, dementia,
22 Amyotrophic Lateral Sclerosis (ALS), and other debilitating
23 diseases.

24 (7) Caregiver support.

25 (8) Data collection, consolidation, uniformity, analysis, and
26 access.

27 (9) Affordable housing.

28 (10) Mobility.

29 (11) Workforce.

30 (12) The alignment of state programs with the federal
31 Administration for Community Living.

32 (13) The potential for integration and coordination of aging and
33 long-term care services with services and supports for people with
34 disabilities.

35 (d) In developing the strategic plan, the council shall examine
36 model programs in various cities, counties, and states. The strategic
37 plan shall consider how to scale up local, regional, and state-level
38 best practices and innovations designed to overcome the challenges
39 related to long-term care services delivery.

1 (e) Notwithstanding Section 10231.5 of the Government Code,
2 the strategic plan shall be submitted to the Secretary of the Senate
3 and the Chief Clerk of the Assembly, to the appropriate chairs of
4 the policy committees of the Legislature with jurisdiction over any
5 aging and long-term care related issues, and to the chairs of the
6 fiscal committees of the Legislature by July 1, 2018.
7 *152003. The secretary may accept grants or donations, real*
8 *or in-kind, to support the operation of the council and the*
9 *development of the state aging and long-term care services*
10 *strategic plan.*