

2017 -- S 0270 SUBSTITUTE A

LC001435/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE RHODE ISLAND AGING
AND DISABILITY RESOURCE CENTER

Introduced By: Senator Maryellen Goodwin

Date Introduced: February 15, 2017

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 40-8.9-4 of the General Laws in Chapter 40-8.9 entitled "Medical
2 Assistance - Long-Term Care Service and Finance Reform" is hereby amended to read as
3 follows:

4 **40-8.9-4. Unified long-term care budget.**

5 Beginning on July 1, 2007, a unified long-term-care budget shall combine in a single,
6 line-item appropriation within the executive office of health and human services (executive
7 office), annual executive office Medicaid appropriations for nursing facility and community-
8 based, long-term care services for elderly sixty-five (65) years and older and younger persons at
9 risk of nursing home admissions (including adult day care, home health, PACE, and personal care
10 in assisted living settings). Beginning on July 1, 2007, the total system savings attributable to the
11 value of the reduction in nursing home days including hospice nursing home days paid for by
12 Medicaid shall be allocated in the budget enacted by the general assembly for the ensuing fiscal
13 year for the express purpose of promoting and strengthening community-based alternatives;
14 provided, further, beginning July 1, 2009, said savings shall be allocated within the budgets of the
15 executive office and, as appropriate, the department of human services, division of elderly affairs.
16 The allocation shall include, but not be limited to, funds to support an on-going, statewide
17 community education and outreach program to provide the public with information on home and
18 community services and the establishment of presumptive eligibility criteria for the purposes of

1 accessing home and community care. A sum not to exceed one million dollars (\$1,000,000) of
2 this allocation shall be appropriated annually pursuant to chapter 66.12 of title 42 for the purpose
3 of establishing the Rhode Island aging and disability resource center (ARDC) to assist Rhode
4 Islanders and their families in making informed choices and decisions about long-term service
5 and support options, and to streamline access to long-term supports and services for older adults,
6 persons with disabilities, family caregivers and providers. The home- and community-care
7 service presumptive eligibility criteria shall be developed through rule or regulation on or before
8 September 30, 2007. The allocation may also be used to fund home and community services
9 provided by the division of elderly affairs for persons eligible for Medicaid long-term care, and
10 the co-pay program administered pursuant to chapter 66.3 of title 42. Any monies in the
11 allocation that remain unexpended in a fiscal year shall be carried forward to the next fiscal year
12 for the express purpose of strengthening community-based alternatives.

13 The caseload estimating conference pursuant to § 35-17-1 shall determine the amount of
14 general revenues to be added to the current service estimate of community-based, long-term care
15 services for elderly sixty-five (65) and older and younger persons at risk of nursing home
16 admissions for the ensuing budget year by multiplying the combined, cost per day of nursing
17 home and hospice nursing home days estimated at the caseload conference for that year by the
18 reduction in nursing home and hospice nursing home days from those in the second fiscal year
19 prior to the current fiscal year to those in the first fiscal year prior to the current fiscal year.

20 SECTION 2. Title 42 of the General Laws entitled "STATE AFFAIRS AND
21 GOVERNMENT" is hereby amended by adding thereto the following chapter:

22 CHAPTER 66.12

23 THE RHODE ISLAND AGING AND DISABILITY RESOURCE CENTER

24 **42-66.12-1. Short title.**

25 This chapter shall be known and may be cited as the "The Rhode Island Aging and
26 Disability Resource Center Act".

27 **42-66.12-2. Purpose.**

28 To assist Rhode Islanders and their families in making informed choices and decisions
29 about long-term service and support options and to streamline access to long-term supports and
30 services for older adults, persons with disabilities, family caregivers and providers, a statewide
31 aging and disability resource center shall be maintained. The Rhode Island aging and disability
32 resource center (ADRC) is a collaborative federal and state multi-agency effort led by the U.S.
33 Administration on Aging (AoA) and the Centers for Medicare and Medicaid (CMS). It consists of
34 a centrally operated, coordinated system of information, referral and options counseling for all

1 persons seeking long-term supports and services in order to enhance individual choice, foster
2 informed decision-making and minimize confusion and duplication.

3 **42-66.12-3. Aging and disability resource center established.**

4 The Rhode Island aging and disability resource center (ADRC) shall be established and
5 operated by the department of human services, division of elderly affairs (DEA) in collaboration
6 with other agencies within the executive office of health and human services. The division of
7 elderly affairs shall build on its experience in development and implementation of the current
8 ADRC program. The ADRC is an integral part of the Rhode Island system of long-term supports
9 and services working to promote the state's long-term system rebalancing goals by diverting
10 persons, when appropriate, from institutional care to home and community-based services and
11 preventing short-term institutional stays from becoming permanent through options counseling
12 and screening for eligibility for home and community-based services.

13 **42-66.12-4. Aging and disability resource center service directives.**

14 (a) The aging and disability resource center (ADRC) shall provide for the following:

15 (1) A statewide toll-free ADRC information number available during business hours with
16 a messaging system to respond to after-hours calls during the next business day and language
17 services to assist individuals with limited English language skills;

18 (2) A comprehensive database of information, updated on a regular basis and accessible
19 through a dedicated website, on the full range of available public and private long-term support
20 and service programs, service providers and resources within the state and in specific
21 communities, including information on housing supports, transportation and the availability of
22 integrated long-term care;

23 (3) Personal options counseling, including implementing provisions required in §40-8.9-
24 9, to assist individuals in assessing their existing or anticipated long-term care needs, and
25 assisting them to develop and implement a plan designed to meet their specific needs and
26 circumstances;

27 (4) A means to link callers to the ADRC information line to interactive long-term care
28 screening tools and to make these tools available through the ADRC website by integrating the
29 tools into the website;

30 (5) Development of partnerships, through memorandum agreements or other
31 arrangements, with other entities serving older adults and persons with disabilities, including
32 those working on nursing home transition and hospital discharge programs, to assist in
33 maintaining and providing ADRC services; and

34 (6) Community education and outreach activities to inform persons about the ADRC

1 [services, in finding information through the Internet and in planning for future long-term care](#)
2 [needs including housing and community service options.](#)

3 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- THE RHODE ISLAND AGING
AND DISABILITY RESOURCE CENTER

1 This act would establish within the department of human services, division of elderly
2 affairs (DEA), the Rhode Island aging and disability resource center (ADRC) as part of the Rhode
3 Island system of long-term care for older adults, persons with disabilities, family caregivers and
4 providers. This act would also make an annual appropriation in a sum not to exceed \$1,000,000
5 for the purpose of establishing the ADRC.

6 This act would take effect upon passage.

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