

1 HB362
2 113685-1
3 By Representative Ward
4 RFD: Health
5 First Read: 19-JAN-10

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8 SYNOPSIS: This bill would create the Alabama Lifespan
9 Respice Resource Network to address issues relating
10 to respice care in Alabama for family caregivers of
11 children or adults with health care needs and to
12 coordinate the Alabama Respice Coalition.

13 This bill would create and provide for the
14 membership of the Alabama Respice Coalition. This
15 bill would authorize the coalition to coordinate
16 statewide respice care efforts and to compete for
17 federal funding.

18 This bill would provide guidelines for the
19 coalition and the network to use in distribution of
20 federal funding.

21
22 A BILL

23 TO BE ENTITLED

24 AN ACT

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26 To create the Alabama Lifespan Respice Resource
27 Network to support family caregivers of children and adults

1 with health care needs and to coordinate the Alabama Respite
2 Coalition; to provide for the membership of the Alabama
3 Respite Coalition; to coordinate statewide respite care
4 efforts; to compete for federal funding; and to provide for
5 funding guidelines.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. This act shall be known and may be cited
8 as the "Alabama Lifespan Respite Resource Network Act."

9 Section 2. (a) The Alabama Lifespan Respite Resource
10 Network Act is enacted to develop the infrastructure for a
11 statewide network of lifespan respite programs in Alabama and
12 be the statewide entity to address issues relating to respite
13 care in our state.

14 (b) The intent of this act is to provide temporary
15 relief for family caregivers of both children and adults with
16 disabilities and other health care needs.

17 Section 3. When used in this act, the following
18 words shall have the following meanings:

19 (1) ADULT WITH SPECIAL NEED. A person 19 years of
20 age or older who requires care or supervision to meet the
21 person's basic needs or prevent physical self-injury or injury
22 to others, or avoid placement in an institutional facility.

23 (2) AGING AND DISABILITY RESOURCE CENTER. An entity
24 that provides a coordinated system for providing information
25 on long-term care programs and options, personal counseling,
26 and consumer access to publicly support long-term care
27 programs.

1 (3) CHILD WITH SPECIAL NEED. A person under age 19
2 who requires care or supervision beyond that required for
3 children generally to meet the child's basic needs or prevent
4 physical injury to self or others.

5 (4) ELIGIBLE STATE AGENCY. A state agency that
6 administers the Older Americans Act or the state's Medicaid
7 program or one designated by the Governor, and is an aging and
8 disability resource center working in collaboration with a
9 state respite coalition or organization.

10 (5) FAMILY CAREGIVER. Family members, foster
11 parents, or other adults providing ongoing unpaid care for an
12 adult or child with special needs.

13 (6) LIFESPAN RESPITE CARE. Coordinated systems of
14 accessible, community-based respite care services for family
15 caregivers of children or adults with special needs.

16 (7) RESPITE. Planned or emergency care provided to a
17 child or adult with a special need in order to provide
18 temporary relief to the family caregiver of that child or
19 adult.

20 (8) RESPITE PROVIDER. An individual who provides a
21 temporary break or period of relief to family caregivers.

22 (9) SPECIAL NEED. A disability or chronic illness as
23 defined in Public Law 109-442.

24 (10) STAKEHOLDER. A person, group, organization, or
25 system that affects or can be affected by an organization's
26 actions.

1 Section 4. There is created the Alabama Lifespan
2 Respite Resource Network as the statewide entity that shall do
3 the following:

4 (1) Address issues relating to respite care in our
5 state.

6 (2) Maintain a statewide system that facilitates the
7 availability and use of high quality, cost-effective lifespan
8 respite services that provide caregivers the break they need
9 from caring for a loved one with disability or chronic
10 illness.

11 (3) Develop and coordinate the Alabama Respite
12 Coalition.

13 (4) Work in collaboration with the eligible state
14 agency and the Governor's Office to access funding through the
15 federal Lifespan Respite Care Act of 2006 (PL109-442).

16 (5) Identify statewide respite care providers.

17 (6) Maintain a directory of respite services in
18 Alabama and link family caregivers with respite care providers
19 and other types of respite-related programs.

20 (7) Provide technical assistance to community-based
21 organizations and other entities that wish to develop a
22 respite care program.

23 (8) Provide voucher respite funding to eligible
24 primary caregivers as funds are available.

25 (9) Provide information and referral services.

26 (10) Provide an easy to access and/or interactive
27 information avenue, such as a toll-free number or

1 informational website like www.alabamarespite.org, to share
2 current news about respite including new resources, training
3 opportunities, and information for caregivers.

4 (11) Offer family caregiver training through
5 partnership with other agencies or other organizations or
6 advocacy groups.

7 Section 5. (a) There is created the Alabama Respite
8 Coalition composed of members who shall be culturally,
9 economically, and geographically diverse and representative of
10 the state demographics and appointed by the Governor or his or
11 her designee. The membership may include, but is not limited
12 to, the following:

13 (1) A member from the Alabama House of
14 Representatives.

15 (2) A member from the Alabama Senate.

16 (3) A member from the Governor's Office on
17 Disability.

18 (4) A member from the Department of Senior Services.

19 (5) A member from the Department of Medicaid.

20 (6) A member from the Department of Rehabilitation
21 Services.

22 (7) A member from the Department of Human Resources.

23 (8) A member from the Alabama Health Department.

24 (9) A member from the Department of Child Abuse and
25 Neglect Prevention.

26 (10) A member from the Department of Mental Health.

1 (11) A member from the Alabama Council for
2 Developmental Disabilities.

3 (12) A representative from a United Cerebral Palsy
4 affiliate in Alabama.

5 (13) A representative from a statewide advocacy or
6 support group.

7 (14) A representative from a community respite
8 initiative or program.

9 (15) A representative from a collaborative training
10 partner.

11 (16) Two family caregivers representing diverse
12 special needs populations.

13 (17) Two respite care providers.

14 (18) A representative from the Autism Society of
15 Alabama.

16 (b) The members of the coalition shall meet at least
17 twice a year, and at such other times as the chair of the
18 coalition deems appropriate. Members shall serve without
19 compensation. The Governor shall call the first meeting of the
20 coalition. A chair of the coalition shall be elected by the
21 membership at the first meeting of the coalition. Members
22 shall be appointed for three-year terms and may be eligible to
23 succeed themselves for one additional term. Members shall be
24 appointed to the coalition within 30 days of the effective
25 date of this act. Any member who fails to attend three
26 consecutive meetings or at least one-half of all coalition
27 meetings held during the calendar year shall be deemed to have

1 resigned. Vacant positions shall be filled for any expired
2 term by the Governor or his or her designee.

3 (c) The coalition shall have the following
4 responsibilities:

5 (1) Build partnerships and coordinate respite care
6 efforts statewide, and prepare Alabama to compete for federal
7 funding when the Lifespan Respite Act is funded.

8 (2) Provide public awareness about respite to the
9 citizens of Alabama.

10 (3) Identify, coordinate, and develop
11 community/funding resources for respite services.

12 (4) Build local partnerships and collaborations
13 regarding respite services.

14 Section 6. (a) The Alabama Lifespan Respite Resource
15 Network shall be designated as the entity to facilitate a
16 minimum of two meetings per year for the Alabama Respite
17 Coalition and to coordinate activities and initiatives of the
18 coalition and that the Alabama Lifespan Respite Coalition
19 shall be the statewide respite coalition referred to in the
20 Federal Lifespan Respite Care Act of 2006 (PL109-442). Alabama
21 Respite will work in coordination with the eligible state
22 agency, as mandated by the act, to develop a Memorandum of
23 Agreement with the eligible state agency in order to allow
24 Alabama to compete for federal funding.

25 (b) Should funding be obtained through the act, the
26 coalition will support Alabama Respite's efforts to actively

1 develop and continue respite-related services with funds
2 utilized for the following mandated purposes:

3 (1) Development or enhancement of lifespan respite
4 programs at state and local levels.

5 (2) Direct respite care services for family
6 caregivers caring for children or adults.

7 (3) Respite worker and volunteer training and
8 recruitment.

9 (4) Provision of information to caregivers about
10 available respite services.

11 (5) Assistance to caregivers in gaining access to
12 such services.

13 Optional uses of the funds may include:

14 (1) Training programs for Alabama's family
15 caregivers to assist them in making informed decisions about
16 respite care services.

17 (2) Other services essential to the provision of
18 respite care as specified in the proposal process.

19 (3) Training and education for new caregivers.

20 Section 7. This act shall become effective on the
21 first day of the third month following its passage and
22 approval by the Governor, or its otherwise becoming law.