

1 HB659
2 140464-1
3 By Representatives McCutcheon, Hill, Ball, Collins,
4 Sanderford, Rich and Hall
5 RFD: Health
6 First Read: 05-APR-12

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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 Lifespan Respice Coalition.

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

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

22
23 A BILL
24 TO BE ENTITLED
25 AN ACT
26

1 To create the Alabama Lifespan Respite Resource
2 Network known also as Alabama Respite to support family
3 caregivers of children and adults with health care needs and
4 to coordinate the Alabama Lifespan Respite Coalition; to
5 provide for the membership of the Alabama Lifespan Respite
6 Coalition; to coordinate statewide respite care efforts; to
7 compete for federal funding; and to provide for funding
8 guidelines.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

12 Section 2. (a) The legislative findings, purpose,
13 and intent of this act are to develop the infrastructure for a
14 statewide network of lifespan respite programs in Alabama and
15 for Alabama Respite to be the statewide entity to address
16 issues relating to respite care in our state.

17 (b) The Alabama Legislature makes the following
18 findings:

19 (1) Respite is short term temporary relief that can
20 make a world of difference for family caregivers of both
21 children and adults with disabilities and other health care
22 needs.

23 (2) Respite is one of the home and community-based
24 services most requested by family caregivers, yet remains in
25 short supply.

26 (3) As of 2012, over 818,000 adults in Alabama are
27 caregivers for a family member.

1 (4) Respite helps preserve families by reducing
2 stress, supporting stability, preventing situations that can
3 lead to abuse and neglect, and reducing the incidence of
4 divorce and out-of-home placement.

5 (5) Respite is a simple, cost-effective solution for
6 situations that can otherwise devastate families.

7 (6) A state lifespan respite program simplifies and
8 accelerates the process for accessing respite services and is
9 recognized by service providers, families, and policymakers,
10 in Alabama as well as nationwide, as the best practice in the
11 provision of respite care in the most cost-effective way.

12 (7) Federal legislation was passed in Congress that
13 would provide a mechanism to fund states that have
14 collaborative systems of lifespan respite provision in place.

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

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

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

26 (3) CHILD WITH SPECIAL NEED. A person under age 19
27 who requires care or supervision beyond that required for

1 children generally to meet the child's basic needs or prevent
2 physical injury to self or others.

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

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

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

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

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

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

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

25 Section 4. There is created the Alabama Lifespan
26 Respite Resource Network as the statewide entity that shall do
27 the following:

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

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

8 (3) Develop and coordinate the Alabama Lifespan
9 Respite Coalition.

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

13 (5) Identify statewide respite care providers.

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

17 (7) Provide technical assistance to community-based
18 organizations and other entities that wish to develop a
19 respite care program.

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

22 (9) Provide information and referral services.

23 (10) Provide an easy to access and/or interactive
24 information avenue, such as a toll-free number or
25 informational website like www.alabamarespite.org, to share
26 current news about respite including new resources, training
27 opportunities, and information for caregivers.

1 (11) Offer family caregiver training through
2 partnership with other agencies or other organizations or
3 advocacy groups.

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

10 (1) The Chair of the House Ways and Means Committee
11 on Education.

12 (2) The Chair of the Senate Judiciary Committee.

13 (3) The Chair of the House of Representatives Health
14 Committee.

15 (4) The Chair of the Senate Health Committee

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (19) Two respite care providers.

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

16 (21) A representative from the Alabama Hospice
17 Organization.

18 (22) A representative from the American Association
19 of Retired Persons (AARP).

20 (b) The members of the coalition shall meet at least
21 twice a year, and at such other times as the chair of the
22 coalition deems appropriate. Members shall serve without
23 compensation. A chair of the coalition shall be elected by the
24 membership at the first meeting of the coalition. Members
25 shall be appointed for three-year terms and may be eligible to
26 succeed themselves for one additional term. Members shall be
27 appointed to the coalition within 30 days of the effective

1 date of this act. Any member who fails to attend three
2 consecutive meetings or at least one-half of all coalition
3 meetings held during the calendar year shall be deemed to have
4 resigned. Vacant positions shall be filled for any expired
5 term by the respective appointing authorities.

6 (c) The coalition shall have the following
7 responsibilities:

8 (1) Build partnerships and coordinate respite care
9 efforts statewide, and prepare Alabama to compete for federal
10 funding as the Lifespan Respite Act is funded.

11 (2) Provide public awareness about respite to the
12 citizens of Alabama.

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

15 (4) Build local partnerships and collaborations
16 regarding respite services.

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

1 (b) Should funding be obtained through the act, the
2 coalition will support Alabama Respite's efforts to actively
3 develop and continue respite-related services with funds
4 utilized for the following mandated purposes:

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

7 (2) Direct respite care services for family
8 caregivers caring for children or adults.

9 (3) Respite worker and volunteer training and
10 recruitment.

11 (4) Provision of information to caregivers about
12 available respite services.

13 (5) Assistance to caregivers in gaining access to
14 such services.

15 Optional uses of the funds may include:

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

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

21 (3) Training and education for new caregivers.

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