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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO HUMAN SERVICES - FAMILY CAREGIVERS SUPPORT ACT OF 2013

Introduced By: Representatives Naughton, and E Coderre

Date Introduced: January 24, 2013

Referred To: House Health, Education & Welfare

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 40 of the General Laws entitled "HUMAN SERVICES" is hereby
2 amended by adding thereto the following chapter:

3 CHAPTER 8.11

4 FAMILY CAREGIVERS SUPPORT ACT OF 2013

5 **40-8.11-1. Findings.** -- (a) Family members, partners and close friends provide the vast
6 majority of long-term services and supports.

7 (b) An estimated one hundred and forty-eight thousand (148,000) persons in Rhode
8 Island are providing care at any one time to persons living in the community. The estimated value
9 of their unpaid contributions in 2009 was one billion eight hundred eight million dollars (\$1.88).

10 (c) Family or other caregivers who provide the majority of care in the home are
11 frequently under substantial physical, psychological, and financial stress. The stress, if unrelieved
12 by support for the caregiver, may lead to premature or unnecessary nursing home and institutional
13 placement and health and financial burdens for the caregiver.

14 (d) Respite care and other community-based supportive services for the family caregiver
15 can relieve some of the stresses faced by caregivers, maintain and strengthen the family structure,
16 postpone or prevent institutionalization and lead to better outcomes for both the caregiver and
17 care recipient.

18 (e) The percent of Rhode Islanders age sixty-five (65) years of age and older is projected
19 to grow from fourteen percent (14%) of the state population in 2010 to twenty-one percent (21%)

1 by 2030. As persons age, they have greater dependency needs and an increased need for long-
2 term care services and supports. Younger people with disabilities also require continued
3 supportive long-term care services as they age.

4 (f) As informal caregivers and families are a vital part of the long-term care services and
5 support system, it is an important public purpose to recognize and respect their contributions and
6 to assess and support their needs.

7 **40-8.11-2. Definitions.** -- (a) "Caregiver assessment" is defined and refers to a systematic
8 process of gathering information about a caregiving situation to identify the specific problems,
9 needs, strengths, and resources of the family caregiver, as well as the caregiver's ability to
10 contribute to the needs of the care recipient.

11 (b) The term "family caregiver" is defined and refers to any relative, partner, friend, or
12 neighbor who has a significant relationship with, and who provides a broad range of assistance
13 for, an older adult or an adult or child with chronic or disabling conditions.

14 **40-8.11-3. Caregiver assessment requirement.** -- The comprehensive assessment
15 required in subsection 40-8.10-4 (b) as part of Medicaid long-term service reform shall also
16 include a caregiver assessment whenever the plan of care depends on a family caregiver for
17 providing assistance with activities of daily living needs. The assessment shall be used to develop
18 a plan of care that recognizes both needs of the care recipient and the caregiver. The assessment
19 shall also serve as the basis for development and provision of an appropriate plan for caregiver
20 information, referral and support services. Information about available respite programs,
21 caregiver training and education programs, support groups and community support services shall
22 be included as part of the caregiver support plan. To implement the caregiver assessment, the
23 executive office of health and human services shall develop evidenced-based caregiver
24 assessments and referral tools appropriate to the departments within the office that provide long-
25 term care services and supports.

26 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO HUMAN SERVICES - FAMILY CAREGIVERS SUPPORT ACT OF 2013

1 This act would create a family caregiver support act which would require a caregiver
2 assessment if the plan of care involves, a family caregiver, and a plan of care would be developed
3 which would take into account the needs of the caregiver and the recipient.

4 This act would take effect upon passage.

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