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FISCAL IMPACT REPORT

ORIGINAL DATE 01/22/10

SPONSOR Trujillo LAST UPDATED _____ HB 41

SHORT TITLE Long-Term Services for Certain Persons SB _____

ANALYST Hanika-Ortiz

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY10	FY11		
	\$100.0	Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

May duplicate appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Responses Received From

Human Services Department (HSD)
Aging and Long-Term Services Department (ALTSD)

SUMMARY

Synopsis of Bill

House Bill 41 appropriates \$100 thousand from the General Fund to the Human Services Department to amend the Long-Term Care Services Act and require that coordinated long-term services pursuant to a Medicaid home- and community-based waiver include “night-care services” for persons with dementia.

“Night-care services” is further defined in the bill as services that provide care management and supervision for a recipient at a location in or outside of their home between the hours of 7:00 pm and 7:00 am.

FISCAL IMPLICATIONS

The appropriation of \$100 thousand contained in this bill is a recurring expense to the General Fund. Any unexpended or unencumbered balance remaining at the end of FY11 shall revert to the General Fund.

HSD and ALTSD believe that the appropriation is insufficient to fund a new category of “night-care services” for all coordinated long-term services recipients with dementia.

SIGNIFICANT ISSUES

ALTSD reports that a Medicaid CoLTS waiver recipient and a Personal Care Option (PCO) recipient at the present time may receive caregiver services at night. The CoLTS Managed Care Organization creates a care plan and authorizes total hours but does not dictate when these hours are to be used in any 24 hour period. The CoLTS Service Coordinator works with the recipient and agency that provides the services to assure that the recipient is receiving care at a time that works to address his/her individual needs; and these services are not limited to individuals diagnosed with dementia.

PERFORMANCE IMPLICATIONS

Use of the word “required” in the bill may be confusing and is being interpreted as a mandate. That may or may not have been the intention of the sponsor.

ADMINISTRATIVE IMPLICATIONS

HSD and ALTSD believe that the proposed bill may duplicate what currently can be provided; and further, mandate night care to dementia patients who may or may not require or want these services.

OTHER SUBSTANTIVE ISSUES

Persons living with dementia are often inflicted by sleeplessness or night terrors causing them to wander and putting themselves at risk.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

ALTSD notes that these services may be obtained under the current structure of the CoLTS Waiver Program and the PCO program and is not limited to persons with dementia. HSD and ALTSD further note that respite services may currently be provided on a short-term basis because of temporary absence of or need for relief of primary caregivers in the participant’s home any time of day or night.

POSSIBLE QUESTIONS

How many persons with dementia are believed to be receiving coordinated long-term services pursuant to a Medicaid Home- and Community-Based waiver program?

AHO/svb