

**Side-by-Side Summary of Current Lifespan Respite Care Law and House and Senate-passed versions of Lifespan Respite Care Program Reauthorization Act of 2019 (H.R. 2035; S. 995)**

	<b>Public Law 109-442 (current law)</b>	<b>House-Passed Bill H.R. 2035</b>	<b>Senate-passed Bill S. 995 as amended</b>
<b>Lifespan Respite Care Program Act</b>	Public Health Service Act is amended by adding at the end:		
<b>Sec. 2901. Definitions</b>			
	<ul style="list-style-type: none"> <li>▪ <b>Lifespan respite care:</b> Coordinated systems of accessible, community-based respite care services for family caregivers of children or adults with special needs</li> <li>▪ <b>Family Caregiver:</b> Family members, foster parents, or other adults providing ongoing unpaid care for an adult or child with a special need</li> <li>▪ <b>Adult with special need:</b> A person 18 years of age or older who requires care or supervision to meet the person’s basic needs or prevent physical self-injury or injury to others, or avoid placement in an institutional facility</li> <li>▪ <b>Child with special need:</b> A person under age 18 who requires care or supervision beyond that required for children generally to meet child’s basic needs or prevent physical injury to self or others.</li> <li>▪ <b>Respite:</b> Planned or emergency care provided to a child or adult with a special need in order to provide temporary relief to the family caregiver of that child or adult.</li> <li>▪ <b>Aging and Disability Resource Center:</b> An entity that provides a coordinated system for providing information on long-term care</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>No changes to this section</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>No changes to this section</b></li> </ul>

	<p>programs and options, personal counseling, and consumer access to publicly support long term care.</p> <ul style="list-style-type: none"> <li>▪ <b>Eligible State Agency:</b> A State agency that administers the Older Americans Act or the state's Medicaid program or one designated by the Governor in collaboration with an Aging and Disability Resource Center.</li> <li>▪ <b>State:</b> any of the several States, the District of Columbia, the Virgin Islands of the United States, the Commonwealth of Puerto Rico, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands</li> </ul>		
<b>Sec. 2902. Grants and Cooperative Agreements</b>			
<b>Purposes:</b>	<ul style="list-style-type: none"> <li>▪ to expand and enhance respite care services;</li> <li>▪ to improve statewide dissemination and coordination of respite care;</li> <li>▪ to provide, supplement, or improve access and quality of respite care services.</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>No changes to this section</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>No changes to this section</b></li> </ul>
<b>Federal Lifespan Approach</b>	<p>The Secretary shall work in cooperation with the National Family Caregiver Support Program of the Administration on Aging and other respite care programs within the Department of Health and Human Services to ensure coordination of respite care services for family caregivers of children and adults with special needs.</p>	<ul style="list-style-type: none"> <li>▪ <b>No changes to this section</b></li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>No changes to this section</b></li> </ul>

<b>Application</b>	Each Governor submits an application with the following descriptions of: the eligible state agency; family caregivers to be served and eligibility criteria; existing respite services; methods to coordinate respite services and information; training programs; plan for administration, collaboration and coordination with other related services; how family caregivers and others will participate in planning and implementation; how maximization of other federal, state and local funds, programs, and other resources will be made; unmet needs; quality and safety monitoring procedures; expected results and evaluation plans.	<ul style="list-style-type: none"> <li>■ No changes to this section</li> </ul>	<ul style="list-style-type: none"> <li>■ No changes to this section</li> </ul>
<b>Assurances</b>	Assurances will be provided that confidentiality will be maintained. Memorandum of agreement between state agency and state respite coalition or organization required.	<ul style="list-style-type: none"> <li>■ No changes to this section</li> </ul>	<ul style="list-style-type: none"> <li>■ No changes to this section</li> </ul>
<b>Priority in Awarding State Grants</b>	Secretary shall give priority to applicants that show the greatest likelihood of implementing or enhancing lifespan respite care statewide; and to applicants that are building or enhancing the capacity of their long-term care systems.	<ul style="list-style-type: none"> <li>■ No changes to this section</li> </ul>	<ul style="list-style-type: none"> <li>■ No changes to this section</li> </ul>
<b>Required Use of Funds</b>	<ul style="list-style-type: none"> <li>■ development or enhancement of lifespan respite programs at the state and local levels;</li> <li>■ planned and emergency respite care services for family caregivers caring for children or adults;</li> </ul>	<ul style="list-style-type: none"> <li>■ No changes to this section</li> </ul>	<ul style="list-style-type: none"> <li>■ No changes to this section</li> </ul>

	<ul style="list-style-type: none"> <li>■ respite worker and volunteer training and recruitment;</li> <li>■ provision of information to caregivers about available respite services; and</li> <li>■ assisting caregivers in gaining access to services.</li> </ul>		
<b>Optional Use of Funds</b>	<ul style="list-style-type: none"> <li>■ training programs for family caregivers to assist them in making informed decisions about respite care services;</li> <li>■ other services essential to the provision of respite care as the Secretary may specify; or</li> <li>■ training and education for new caregivers</li> </ul>	<ul style="list-style-type: none"> <li>■ <b>No changes to this section</b></li> </ul>	<ul style="list-style-type: none"> <li>■ <b>No changes to this section</b></li> </ul>
<b>Subcontracts</b>	Each eligible recipient awarded a grant or cooperative agreement under this section may use funds to subcontract with a public or private entity to carry out the mandatory and optional services described above.	<ul style="list-style-type: none"> <li>■ <b>No changes to this section</b></li> </ul>	<ul style="list-style-type: none"> <li>■ <b>No changes to this section</b></li> </ul>
<b>Matching Funds</b>	Eligible state agency must agree to provide a match of 25% in non-Federal contribution. Match funds may be in cash or in-kind, including plant, equipment or services.	<ul style="list-style-type: none"> <li>■ <b>No changes to this section</b></li> </ul>	<ul style="list-style-type: none"> <li>■ <b>No changes to this section</b></li> </ul>
<b>Maintenance of Effort</b>	Funds must be used to supplement, not supplant other Federal, state, and local funds available for respite.	<ul style="list-style-type: none"> <li>■ <b>No changes to this section</b></li> </ul>	<ul style="list-style-type: none"> <li>■ <b>No changes to this section</b></li> </ul>
<b>Sec. 2903. National Resource Center on Lifespan Respite</b>			

	<p>Directs the Secretary to award a grant or cooperative agreement to a public or private nonprofit entity to establish a National Resource Center on Lifespan Respite Care to maintain a national database on lifespan respite care; provide training and technical assistance; provide information, referral and education programs to the public.</p>	<p>■ <b>No changes to this section</b></p>	<p>■ <b>No changes to this section</b></p>
<b>Sec. 2904. Report</b>			
	<p>Requires the Secretary to report to Congress not later than January 2009 on the number of states that have Lifespan Respite Care Programs; the demographics of the caregivers receiving respite care services through grants under the Title; and the effectiveness of entities receiving grants or cooperative agreements.</p>	<p><b>Amends to read:</b>  <b>DATA COLLECTION AND REPORTING.</b>  ---Each eligible State agency awarded a grant or cooperative agreement under section 2902 shall collect, maintain, and report such data and records at such times, in such form, and in such manner as the Secretary may require to enable the Secretary—  (1) to monitor State administration of programs and activities funded pursuant to such grant or cooperative agreement; and  (2) to evaluate, and to compare effectiveness on a State-by-State basis, of programs and activities funded pursuant to section 2902.</p>	<p><b>Amends to read:</b>  <b>DATA COLLECTION AND REPORTING.</b>  (a) Each State agency awarded a grant or cooperative agreement under section 2902 shall report such data, information, and metrics as the Secretary may require for purposes of—  (1) evaluating State programs and activities funded pursuant to such grant or cooperative agreement, including any results pursuant to section 2902(d)(2)(B)(xii)<sup>1</sup>; and  (2) identifying effective programs and activities funded pursuant to section 2902.  (b) REPORT.—Not later than October 1, 2023, the Secretary shall submit a report to the Committee on</p>

<sup>1</sup> Current law reference to 2902(d)(2)(B)(xii): “(2) CONTENTS.—Each application submitted under this section shall include—  
“(xii) the results expected from proposed respite care activities and the procedures to be used for evaluating those results;

			Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives regarding the outcomes of the programs and activities funded pursuant to section 2902, including any effective programs and activities identified.
<b>Sec. 2905. Authorization of Appropriations</b>			
	There are authorized to be appropriated to carry out this title (1) \$30,000,000 for fiscal year 2007; (2) \$40,000,000 for fiscal year 2008; (3) \$53,330,000 for fiscal year 2009; (4) \$71,110,000 for fiscal year 2010; and (5) \$94,810,000 for fiscal year 2011.	There are authorized to be appropriated to carry out this title \$20 million in FY 2020; \$30 million in FY 2021; \$40 million in FY 2022; \$50 million in FY 2023; and \$60 million in FY 2024.	There are authorized to be appropriated to carry out this title \$10,000,000 for each of fiscal years 2020 through fiscal year 2024.

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