

Date of Hearing: July 2, 2019

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Eloise Gómez Reyes, Chair

SB 228 (Jackson) – As Amended April 25, 2019

SENATE VOTE: 38-0

SUBJECT: Master Plan on Aging

SUMMARY: Requires the Governor to appoint a Master Plan Director and establishes an Aging Task Force to work together with the Master Plan Director to develop a Master Plan for an Aging California that meets a number of specified criteria and that empowers older adults and individuals with disabilities to age with dignity, choice, and independence. Specifically, **this bill:**

- 1) Makes a number of Legislative findings and declarations related to: California's growing population of older adults; the various needs of older adults and their families, communities, and the state; the multitude of state entities that provide services for older adults, people with disabilities, and their families; and, previous attempts to address system change that have not come to full fruition.
- 2) States Legislative intent that, in enacting the provisions of this bill, a Master Plan for an Aging California is developed that empowers all Californians, including older adults and individuals with disabilities, to age with dignity, choice, and independence.
- 3) Requires the Governor to appoint a Master Plan Director to lead the Master Plan for Aging planning process and, further, requires this director to have experience working in the field of aging or long-term care, as specified.
- 4) Establishes the Aging Task Force, to consist of a total of 13 members, appointed as follows:
 - a) Two members appointed by the President pro Tempore of the Senate, with one appointee having expertise in long-term services and supports (LTSS);
 - b) Two members appointed by the Speaker of the Assembly, with one appointee having expertise in LTSS; and,
 - c) Nine members appointed by the Governor, with each appointee having experience working in the state or local level in the field they represent and with preference given to individuals representing marginalized communities, and with one appointee representing each of the following fields: consumer advocates, health care, long-term services and supports, labor, transportation, housing, schools of gerontology, local government, and business.
- 5) Requires the Master Plan Director to, in order to develop strategies and responses to the aging of California's population, work with representatives of state agencies including, but not limited to, the Department of Health Care Services, the California Department of Social Services, the California Department of Aging (CDA), the Department of Rehabilitation, the Department of Transportation, the Department of Housing and Community Development, the

Department of Insurance and the Insurance Commissioner, the Department of Veterans Affairs, the Department of Finance, the Chancellor of the California Community Colleges, the Chancellor of the California State University, the President of the University of California Office, and the Judicial Council.

- 6) Requires the Master Plan Director to, with the assistance of the Aging Task Force, work with representatives from impacted state departments, stakeholders, and any other agencies deemed appropriate, to identify policies that need to be implemented to prepare for the aging of California's population and that are in accordance with the goals and core values set forth by the provisions of this bill, as specified.
- 7) Requires the task force to, under the leadership of the Master Plan Director, ensure that the master plan is centered on core values of equity, self-determination, efficiency, system rebalancing that prioritizes home- and community-based services, coordination and integration, and access, as specified.
- 8) Requires the Master Plan Director to, by July 1, 2021, oversee the completion of an environmental analysis, with which the task force may assist at the director's discretion, that surveys existing LTSS programs and services for older adults and people with disabilities across the continuum of home- and community-based care to institutional care and that identifies the availability of programs and services in each county to determine where unmet needs exist.
- 9) Requires information from the environmental analysis to be included on the web-based platform described by provisions of this bill and to be used to map services and inform individuals about LTSS, as specified.
- 10) Requires the task force, under the leadership of the Master Plan Director, to develop a master plan in accordance with the core values specified by provisions of this bill that identifies possible actions that would accomplish all of the following, as specified:
 - a) Preparing the state to address the needs of older adults, people with disabilities, and caregivers;
 - b) Improving the quality and effectiveness of service delivery;
 - c) Ensuring adequate and sustainable funding for Medi-Cal and other state and local LTSS programs;
 - d) Enabling older adults and people with disabilities to live in the most integrated, community-based setting;
 - e) Fostering opportunities for older adults and people with disabilities to be meaningfully engaged in their communities;
 - f) Supporting the workforce, including unpaid family caregivers, that serves this population;
 - g) Developing effective communication models for providing information about available LTSS to individuals who lack access to digital technology;

- h) Outlining strategies and tactics with criteria for prioritizing near- and long-term action items, with the highest priority action items including, but not being limited to, programs and policies that: impact health, safety, and well-being; enable individuals to receive services in home- and community-based settings versus institutionalization; and, lift older adults, people with disabilities, and families out of poverty;
 - i) Establishing benchmarks to assess and measure progress in accomplishing the master plan goals;
 - j) Including a cost estimate and potential funding sources for accomplishing, at the least, all of the following, as specified:
 - i) Expanding access to coordinated, integrated systems of care by: developing a web-based platform that streamlines access to information and supports through a No Wrong Door system; developing and implementing a universal assessment tool as part of the No Wrong Door system; and, developing a statewide, integrated, coordinated service delivery system that builds upon and improves California's Coordinated Care Initiative;
 - ii) Preparing families to plan and pay for LTSS;
 - iii) Supporting family caregivers;
 - iv) Increasing access to LTSS, health care, and related services to address unmet need;
 - v) Developing affordable living options, including those allowing individuals to age in place and access assistive technology;
 - vi) Enhancing accessible public transportation;
 - vii) Developing a culturally competent workforce that meets the needs of older adults and individuals with disabilities;
 - viii) Preventing exploitation and abuse of older adults and people with disabilities; and,
 - ix) Streamlining state administrative structures to improve service delivery;
- 11) Requires the master plan, under the leadership of the Master Plan Director, to include and be implemented in accordance with a fiscal plan and timeline for building LTSS infrastructure, prioritizing areas where unmet need is the most acute.
- 12) Requires the Aging Task Force, under the leadership of the Master Plan Director, to develop and implement a process to solicit input from a wide variety of stakeholders and to convene community-specific forums to gather information on the impact on the community of California's aging population and, further, requires the task force to ensure that underserved communities are represented and culturally competent resources provided.
- 13) Requires the Aging Task Force to develop an implementation process that describes strategies, accountabilities, deliverables, and timeframes necessary for achieving the master plan's goals.

- 14) Requires the Aging Task Force to develop a process that will track, monitor, and evaluate progress on the implementation of the master plan.
- 15) Requires the Master Plan Director to work with the Legislature and other state agencies to identify statutory and regulatory changes necessary to implement the master plan.
- 16) Requires, by January 1, 2021, the Chancellor of the Community Colleges and California State University to develop, and authorizes the President of the University of California to develop, a strategy and fiscal plan to ensure the availability of a culturally competent workforce to meet the needs of an aging population by 2030.

EXISTING LAW:

- 1) Reauthorizes the Older Americans Act of 1965 to, among other things, protect vulnerable seniors and promote the delivery of evidence-based programs. (Public Law [PL] 114-144)
- 2) Establishes the Mello-Granlund Older Californians Act to reflect the policy mandates and directives of the Older Americans Act of 1965, as amended, and sets forth California's commitment to its older population and other populations served by programs administered by CDA. (Welfare and Institutions Code [WIC] Section 9000 *et seq.*)
- 3) Establishes the Aging and Disability Resource Connection (ADRC) program to provide information to consumers and their families regarding available LTSS programs and to assist older adults, caregivers, and persons with disabilities in accessing local LTSS programs, and sets forth requirements related to the administration and responsibilities of an ADRC program. (WIC 9120)
- 4) Describes, within the federal Patient Protection and Affordable Care Act, the "No Wrong Door – Single Entry Point System" as the development of a statewide system to enable consumers to access all LTSS through an agency, organization, coordinated network, or portal, in accordance with state-established standards, that provides information regarding the availability of such services, how to apply for such services, referral for services and supports otherwise available in the community, and determinations of financial and functional eligibility for such services and supports, or assistance with assessment processes for financial and functional eligibility. (PL 111-148 Section 10202 (c)(5)(A))

FISCAL EFFECT: According to the Senate Appropriations Committee on May 13, 2019, this bill may result in the following costs:

- Unknown costs, in the mid to high hundreds of thousands of dollars for salary, operating expenses, equipment, and support staff for the Master Plan Director (General Fund [GF]);
- Unknown costs, likely mid hundreds of thousands of dollars for an unspecified state agency, to establish and administer the Task Force. This would include consulting services and state staff support to provide research and administrative support to the Task Force (GF);
- Unknown, potentially significant costs to the Community Colleges and the California State University to research and develop a strategy and fiscal plan (GF);
- Potentially minor costs to other departments for additional workload necessary for the heads of departments to serve on the Task Force (various funds); and,

- Unknown potentially significant future cost pressures to implement the recommendations of the task force, including strategies, accountabilities, deliverables, and timeframes necessary for achieving the master plan's goals and tracking the plan's progress.

COMMENTS:

California's aging population and associated needs: CDA reports that the portion of California's population over the age of 60 is anticipated to grow by 166% between 2010 and 2060. The number of Californians in this age group will grow three times as fast as the state's overall population in the coming decades. The population of Californians over the age of 85 will grow at an even faster rate, with an estimated overall increase of 489% between the years 2010 and 2060.

A 2015 report by the Public Policy Institute of California described higher population growth rates among certain racial/ethnic groups:

“The number of seniors in every major racial/ethnic group will increase by 2030. Whites will remain the largest group and are projected to grow by 53 percent (1.5 million people). However, the fastest rates of growth will occur among nonwhite populations, especially Latinos (170%, or 1,430,000 people) and Asians (118% or 765,000 people). The African American senior population will increase by 96 percent, or 230,000 people.

Because Latino and Asian senior populations are growing so quickly, they will make up an increasing share of the total over-65 population going forward. Since 1990, there has been a steady decline in the percent of seniors who are white, and by 2030 that fraction is expected to dip to just below 50 percent. At that point, no ethnic group will constitute a majority of the senior population. Latinos will have increased from 18 percent in 2012 to 26 percent by 2030; Asians will grow from 14 percent to 16 percent. The fraction of seniors who are African American will hold constant at 5 percent.”

Legislative and other efforts in past years have pointed to the need to meet the growing demand for culturally competent services and supports among older adults and individuals with disabilities and to the need for better coordination of service availability and delivery across the myriad programs and services in the state. For example, in 2015, the Senate Select Committee on Aging and Long-Term Care released a report that stated that,

“To date, California has not responded to the increase in the aging population or the rich cultural and ethnic diversity of the state. We are plagued by a lack of capacity – especially in rural areas – in services, supports, and workforce across a range of disciplines.

The challenge before us is two-fold. First, over 5.1 million persons age 65 and over will call California home by 2015. Due to aging Baby Boomers and migration patterns, that number will grow to 8.4 million by 2030 – or nearly one fifth of the population. Second; as the Baby Boom population ages, it will become more ethnically diverse, driving demand for culturally competent service delivery.

Reliance upon our existing patchwork of programs and services to serve our growing aging and disabled population will result in unnecessary expenditures, inequitable access, and irrelevant services. Furthermore, under the existing fragmented structure there is no

leader to oversee or coordinate the entire range of services, and no mechanism for accountability or improvement.”

Governor’s Executive Order: On June 10, 2019, Governor Newsom signed an executive order (Executive Order N-14-19) calling for the establishment of a Master Plan for Aging by October 1, 2020, to “serve as a blueprint for state government, local government, private sector, and philanthropy to implement strategies and partnerships that promote healthy aging and prepare the state for the coming demographic changes.” This executive order also directs the Secretary of the Health and Human Services Agency to convene a Cabinet-level Workgroup for Aging to advise the Secretary in developing and issuing the master plan, and directs the California Health and Human Services Agency to convene a Master Plan for Aging Stakeholder Advisory Committee, to include a Research Subcommittee and a Long-Term Care Subcommittee representing a broad range of Californians with an interest in building an age-friendly California; the Long-Term Care Subcommittee is directed to report to the Governor by March 2020 on a number of factors related to long-term services and supports.

Need for this bill: According to the author, “The older adult population in California is one whose numbers are swelling – 1,000 people turn 65 every day in California, and more than 20 percent of the state’s population will be age 65 or older by the year 2030. And as this population’s numbers grow, so does its rate of poverty – as it stands today, more than 20 percent of Californians aged 65 and older, or about 900,000 people, live in poverty. These challenges also hit women harder than men. Traditionally, women live five years longer than men, more often end up living alone, and are in poorer health. The longer they live, the greater the odds they will live in poverty, and if a woman is living alone, those odds are even higher.

“We have so much to do between now and 2030 to get ready for the coming wave of older Californians. It isn’t enough to build accessible, affordable housing. It isn’t enough to train as many as 500,000 more healthcare workers. We also need to bring a new perspective to the challenges facing seniors, innovative solutions to the problems we’ve faced for generations. We want robust communities, housing choices, and readily available health care. We need to look at the obstacles comprehensively. That is what [this bill] seeks to do – provide a framework for state and local officials to look at and address the challenges facing California and its older citizens.

“The states of Connecticut, Washington and Minnesota have comprehensively planned for the coming demographic shift, and [this bill] will provide a similar framework for California, encouraging collaboration among state departments and stakeholders and building on known best practices and research to provide both a vision and a practical plan for addressing the long- and short-term needs and challenges of aging and disabled Californians. Through increased coordination, services can be delivered more efficiently, maximizing resources dedicated to these programs. Improved coordination will also make the system more navigable for both recipients of care as well as their caregivers.”

Double referral: This bill passed out of the Assembly Aging and Long Term Care Committee on June 25, 2019, with a 7-0 vote.

RELATED AND PRIOR LEGISLATION:

AB 1136 (Nazarian) of 2019 would have created the “California Department of Community Living” to better coordinate and guide a person-centered system for delivering services to older adults, people with disabilities, and their caregivers. AB 1136 was held on the Assembly Appropriations Committee suspense file.

AB 1287 (Nazarian) of 2019 would require the development of a plan and strategy for the statewide implementation of the No Wrong Door system and the development of a universal assessment tool to assist older adults, people with disabilities, and caregivers in obtaining accurate information and appropriate community services and supports. AB 1287 is set to be heard on July 8, 2019, in the Senate Human Services Committee.

AB 1382 (Aguilar-Curry) of 2019 would require that the Master Plan for Aging include an implementation plan specifying objectives, and timelines relative to both the paid workforce and unpaid family caregiver workforce. AB 1382 is set to be heard on July 8, 2019, in the Senate Human Services Committee.

SB 611 (Caballero) of 2019 would require the Governor to establish the Master Plan for Aging Housing Task Force (Task Force) to assess the housing issues affecting California’s aging population. SB 611 is set to be heard on July 9, 2019, in the Assembly Aging and Long-Term Care Committee.

SB 910 (Vasconcellos et al.), Chapter 948, Statutes of 1999, required the University of California to compile information that addressed the impending demographic, economic, and social changes triggered by California’s aging society.

REGISTERED SUPPORT / OPPOSITION:**Support**

California Association for Health Services at Home
 California Association of Area Agencies on Aging
 California Association of Public Authorities for IHSS
 California Commission on Aging
 California Dental Hygienists Association
 California School Employees Association
 California State Association of Counties
 CaliforniaHealth+ Advocates
 Community Clinic Association of Los Angeles County
 County of Contra Costa
 County of Los Angeles Board of Supervisors
 County of Sacramento
 County of Santa Clara
 Jewish Public Affairs Committee
 Meals on Wheels
 National Association of Social Workers, California Chapter
 Retired Public Employees Association
 San Diego Regional Chamber of Commerce

State Independent Living Council
UDW/AFSCME Local 3930

Opposition

None on file

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