

110TH CONGRESS
2D SESSION

H. R. 6033

To promote training and employment for public housing residents in home-based health services so such residents can provide Medicaid covered home-based health services to elderly and disabled persons receiving public housing assistance from the Department of Housing and Urban Development.

IN THE HOUSE OF REPRESENTATIVES

MAY 13, 2008

Ms. VELÁZQUEZ introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committees on Ways and Means and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To promote training and employment for public housing residents in home-based health services so such residents can provide Medicaid covered home-based health services to elderly and disabled persons receiving public housing assistance from the Department of Housing and Urban Development.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Home-Based Health
3 Services Job Training and Caregiving Act of 2008”.

4 **SEC. 2. FINDINGS AND PURPOSE.**

5 (a) FINDINGS.—The Congress finds the following:

6 (1) The “baby boom” generation will require
7 health care attention that will exceed the current
8 supply of health care providers.

9 (2) There is a shortage of training programs
10 specializing in health care services that focus on
11 home care instead of institutionalized care.

12 (3) Although the need for home-based health
13 services transcends all income levels, the availability
14 of such services is more limited for residents in pub-
15 lic housing.

16 (4) Estimates indicate that there are
17 44,000,000 caregivers in the United States pro-
18 viding unpaid care to at least one adult, representing
19 22,900,000 households.

20 (5) Of working persons providing unpaid care,
21 62 percent have had to make adjustments to work
22 schedules or leave employment.

23 (6) Many low-income families in the United
24 States are placed in an untenable position of choos-
25 ing between work and caregiving responsibilities at
26 home.

1 (7) Residents in public housing in the United
2 States are also aging and in need of care.

3 (8) The Department of Housing and Urban De-
4 velopment estimates the percentage of households
5 assisted by the Department that are elderly house-
6 holds is 35 percent in New York, 33 percent in Bos-
7 ton, 35 percent in Chicago, 24 percent in Cleveland,
8 40 percent in Los Angeles, and 20 percent in Puerto
9 Rico.

10 (9) New service programs are needed to provide
11 home-based health services to residents in public
12 housing and to provide job training and job place-
13 ment for persons receiving assistance from the De-
14 partment of Housing and Urban Development need-
15 ing employment.

16 (10) The Department of Housing and Urban
17 Development should establish a home-based health
18 services pilot program to meet the challenges of an
19 increasing number of elderly in public housing, si-
20 multaneously creating an opportunity to train job
21 seekers in a trade that provides home-based health
22 services.

23 (b) PURPOSES.—The purposes of this Act are—

24 (1) to give flexibility to the Department of
25 Housing and Urban Development and other entities

1 to promote training programs and employment in
2 home-based health services for public housing resi-
3 dents; and

4 (2) to provide needed home care options to el-
5 derly and disabled public housing residents to allow
6 them to remain in their homes and their commu-
7 nities.

8 **SEC. 3. PILOT GRANT PROGRAM TO PROMOTE HOME-**
9 **BASED HEALTH SERVICES TRAINING AND EM-**
10 **PLOYMENT FOR PUBLIC HOUSING RESI-**
11 **DENTS AND TO PROVIDE MEDICAID COV-**
12 **ERED HOME-BASED HEALTH SERVICES TO**
13 **ELDERLY AND DISABLED PERSONS RECEIV-**
14 **ING HUD PUBLIC HOUSING ASSISTANCE.**

15 Section 34 of the United States Housing Act of 1937
16 (42 U.S.C. 1437z-6) is amended by adding at the end
17 the following new subsection:

18 “(f) GRANT PILOT PROGRAM TO PROMOTE TRAIN-
19 ING AND EMPLOYMENT IN HOME-BASED HEALTH SERV-
20 ICES AND TO PROVIDE SUCH SERVICES TO ELDERLY AND
21 DISABLED PUBLIC HOUSING RESIDENTS.—

22 “(1) ESTABLISHMENT OF GRANT PILOT PRO-
23 GRAM.—The Secretary shall establish a grant pilot
24 program to make grants to eligible entities under
25 paragraph (2) for use only for promoting the train-

1 ing and employment of public housing residents as
2 home health aides and as providers of home-based
3 health services in order for such residents to provide
4 Medicaid covered home-based health services to ei-
5 ther elderly or disabled public housing residents, or
6 both.

7 “(2) ELIGIBLE ENTITIES.—A grant under this
8 subsection may be made only to an entity that dem-
9 onstrates—

10 “(A) it is a public housing agency, unit of
11 State or local government including an agency
12 of such unit, community health center, home
13 care provider organization, faith-based organi-
14 zation, labor organization, or other organization
15 determined to be qualified by the Secretary;
16 and

17 “(B) to the satisfaction of the Secretary
18 that it will establish an employment training
19 program in home-based health services that
20 complies with regulations issued by the Sec-
21 retary.

22 “(3) APPLICATION.—To be eligible for a grant
23 under this subsection an eligible entity under para-
24 graph (2) shall prepare and submit to the Secretary
25 an application at such time, in such manner, and

1 containing such information as the Secretary re-
2 quires.

3 “(4) PRIORITY.—In awarding grants under this
4 subsection, the Secretary shall give priority to grant
5 proposals from eligible entities under paragraph (2)
6 located within any of the 5 States and territories
7 having the most households residing in public hous-
8 ing.

9 “(5) REPORT TO CONGRESS.—Not later than
10 30 months after the enactment of this subsection,
11 the Secretary shall submit a report to Congress on
12 the use and impact of the grant program established
13 by this subsection.

14 “(6) DEFINITIONS.—As used in this subsection:

15 “(A) HOME-BASED HEALTH SERVICES.—
16 The term ‘home-based health services’ means
17 health care services provided to an individual in
18 a place of residence used as such individual’s
19 home and includes—

20 “(i) home health services described in
21 section 1861(m) of the Social Security Act
22 (42 U.S.C. 1395x(m));

23 “(ii) personal care services described
24 in section 1905(a)(24) of such Act (42
25 U.S.C. 1396d(a)(24)); and

1 “(iii) home-based services which may
2 be covered under a waiver under subsection
3 (c) or (d) of section 1915 of such Act (42
4 U.S.C. 1396n).

5 “(B) HOME HEALTH AIDE.—The term
6 ‘home health aide’ has the meaning given the
7 term in section 1891(a)(3)(E) of the Social Se-
8 curity Act (42 U.S.C. 1395bbb(a)(3)(E)).

9 “(C) MEDICAID COVERED.—The term
10 ‘Medicaid covered’ means, with respect to home-
11 based health services, such services for which
12 medical assistance is available under a State
13 plan under title XIX of the Social Security Act.

14 “(7) INAPPLICABILITY OF PREVIOUS SUB-
15 SECTIONS.—Subsections (a) through (e) shall not
16 apply to this subsection.

17 “(8) RULE OF CONSTRUCTION.—Nothing in
18 this subsection shall be construed as affecting any
19 requirement under State law for training, licensure,
20 or any other certification as a home health aide or
21 as a provider of any service included as a home-
22 based health service under this subsection.

23 “(9) REGULATIONS.—Not later than 6 months
24 after the date of enactment of this subsection, the

1 Secretary shall issue regulations to carry out this
2 subsection.

3 “(10) AUTHORIZATION OF APPROPRIATIONS.—

4 There is authorized to be appropriated to carry out
5 this subsection \$2,500,000 for each of the fiscal
6 years 2009, 2010, and 2011.”.

7 **SEC. 4. MISCELLANEOUS PROVISIONS.**

8 Section 3 of the Housing and Urban Development
9 Act of 1968 (12 U.S.C. 1701u) is amended—

10 (1) in subsection (c)(2)(A) by inserting “home-
11 based health services (as defined in section 34(f) of
12 the United States Housing Act of 1937 (42 U.S.C.
13 1437z-6(f)) for public housing residents,” after
14 “training and employment arising in connection
15 with”; and

16 (2) in subsection (d)(2)(A) by inserting “home-
17 based health services (as defined in section 34(f) of
18 the United States Housing Act of 1937 (42 U.S.C.
19 1437z-6(f)) for public housing residents,” after
20 “contracts awarded for work to be performed in con-
21 nection with”.

1 **SEC. 5. EXEMPTION FROM MEDICAL ASSISTANCE PAYMENT**
2 **LIMITATION FOR TERRITORIES FOR HOME**
3 **HEALTH SERVICES FOR ELDERLY INDIVID-**
4 **UALS.**

5 (a) IN GENERAL.—Section 1108(g) of the Social Se-
6 curity Act (42 U.S.C. 1308(g)) is amended by adding at
7 the end the following new paragraph:

8 “(4) EXEMPTION FROM MEDICAL ASSISTANCE
9 PAYMENT LIMITATION FOR HOME HEALTH SERVICES
10 FOR ELDERLY INDIVIDUALS.—Payment limitations
11 under this subsection and subsection (f) shall not
12 apply to amounts expended for home health services
13 for individuals 65 years of age or older.”.

14 (b) EFFECTIVE DATE.—The amendment made by
15 subsection (a) shall apply to fiscal years beginning with
16 fiscal year 2008.

17 **SEC. 6. EXEMPTION FROM PART B LATE ENROLLMENT PEN-**
18 **ALTY FOR RESIDENTS OF PUERTO RICO.**

19 (a) IN GENERAL.—Section 1839(b) of the Social Se-
20 curity Act (42 U.S.C. 1395r(b)) is amended by adding at
21 the end the following: “No increase in the premium shall
22 be effected for an individual who would have been deemed
23 enrolled in the medical insurance program under section
24 1837(f) but for such individual residing in Puerto Rico.”.

25 (b) EFFECTIVE DATE.—The amendment made by
26 subsection (a) shall apply to individuals with respect to

1 initial enrollment periods under section 1837(d) of the So-
2 cial Security Act (42 U.S.C. 1395p(d)) that begin on or
3 after the first day of the first month that begins more
4 than 60 days after the date of enactment of this Act.

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