

# HOUSE BILL No. 4476

March 27, 2003, Introduced by Reps. Vander Veen, Voorhees, Hager, Taub, Brandenburg, Vagnozzi, Ehardt, Shaffer, Clack, Kooiman, Stahl, Gaffney, Caswell and Meyer and referred to the Committee on Family and Children Services.

A bill to provide for respite care resources; to establish the Michigan lifespan respite services program; to provide for community lifespan respite services programs; and to prescribe the powers and duties of certain departments of this state.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 2. As used in this act:

2       (a) "Caregiver" means an individual providing ongoing care  
3 for an individual unable to care for himself or herself.

4       (b) "Community lifespan respite services program" means a  
5 program that meets all of the following criteria:

6       (i) Is operated by a community-based private nonprofit or  
7 for-profit agency or a public agency that provides respite  
8 services.

9       (ii) Receives funding through the Michigan lifespan respite  
10 services program established under section 3.

1       (iii) Acts as a designated local source for respite services  
2 information and referral.

3       (iv) Facilitates access to local respite services.

4       (c) "Department" means the department of community health.

5       (d) "Director" means the director of the department.

6       (e) "Noncategorical care" means care without regard to the  
7 age, type of special needs, or other status of the individual  
8 receiving care.

9       (f) "Provider" means an individual or agency selected by a  
10 family or caregiver to provide respite care to an individual  
11 needing respite care.

12       (g) "Respite care" means providing short-term relief to  
13 primary caregivers from the demands of ongoing care for an  
14 individual whose health and welfare would be jeopardized if left  
15 unattended.

16       (h) "Respite services" means, at a minimum, all of the  
17 following services:

18       (i) Recruiting and screening of paid and unpaid providers.

19       (ii) Identifying local training resources and organizing  
20 training opportunities for providers.

21       (iii) Matching families and caregivers with providers and  
22 other types of respite care.

23       (iv) Linking families and caregivers with payment resources.

24       (v) Identifying, coordinating, and developing community  
25 resources for respite services.

26       (vi) Quality assurance and evaluation.

27       (vii) Assisting families and caregivers to identify respite

1 care needs and resources.

2       Sec. 3. (1) The director shall establish the Michigan  
3 lifespan respite services program within the department to  
4 develop and encourage statewide coordination of respite services  
5 and to work with community-based private nonprofit or for-profit  
6 agencies, public agencies, and interested citizen groups in  
7 establishing community lifespan respite services programs.

8       (2) The Michigan lifespan respite services program shall do  
9 all of the following:

10       (a) Provide policy and program development support,  
11 including, but not limited to, data collection and outcome  
12 measures.

13       (b) Provide technical assistance to community lifespan  
14 respite services programs.

15       (c) Develop and distribute respite services information.

16       (d) Promote information exchange and coordination among state  
17 and local governments, community lifespan respite services  
18 programs, agencies serving individuals who need respite care,  
19 families of individuals unable to care for themselves, and  
20 respite care advocates to encourage efficient provision of  
21 respite services and reduce duplication of effort.

22       (e) Promote statewide access to community lifespan respite  
23 services programs.

24       (f) Monitor and evaluate implementation of community lifespan  
25 respite services programs.

26       Sec. 4. (1) The department, through the Michigan lifespan  
27 respite services program, shall coordinate the establishment of

1 community lifespan respite services programs. The Michigan  
2 lifespan respite services program shall accept proposals  
3 submitted in the form and manner required by the department from  
4 community-based private nonprofit or for-profit agencies or  
5 public agencies that provide respite services to operate  
6 community lifespan respite services programs. According to  
7 criteria established by the department, the Michigan lifespan  
8 respite services program shall designate agencies described in  
9 this section to operate community lifespan respite services  
10 programs.

11 (2) The director shall designate a program specialist  
12 position for the Michigan lifespan respite services program to  
13 administer the program.

14 Sec. 5. Each community lifespan respite services program  
15 established under section 4 shall do both of the following:

16 (a) Involve key local individuals and agencies in the  
17 community lifespan respite services program planning process.

18 (b) Create an advisory committee to advise the community  
19 lifespan respite services program on how the program may best  
20 serve the needs of families and caregivers of individuals needing  
21 respite care. Other members shall include providers,  
22 representatives of local service agencies, consumers, and other  
23 community representatives. Committee membership shall represent  
24 senior citizens, individuals needing respite care, and families  
25 of individuals needing respite care.

26 Sec. 6. Respite services made available through the  
27 Michigan lifespan respite services program shall do all of the

1 following in making respite care available:

2 (a) Include a flexible array of respite care options  
3 responsive to family and caregiver needs that are available  
4 beginning before the family and caregiver are in a crisis.

5 (b) Be sensitive to the unique needs, strengths, and cultural  
6 values of an individual, family, or caregiver.

7 (c) Offer the most efficient access to an array of  
8 coordinated respite care that is built on existing community  
9 support and services.

10 (d) Be driven by community strengths, needs, and resources.

11 (e) Use a variety of funds and resources, including, but not  
12 limited to, all of the following:

13 (i) Family or caregiver funds.

14 (ii) Private and volunteer resources.

15 (iii) Public funds.

16 (iv) Exchange of care among families or caregivers.

17 Sec. 7. The department shall promulgate rules to implement  
18 this act pursuant to the administrative procedures act of 1969,  
19 1969 PA 306, MCL 24.201 to 24.328. Rules promulgated under this  
20 section shall include both of the following:

21 (a) Criteria, procedures, and timelines for designating  
22 community-based private nonprofit or for-profit agencies or  
23 public agencies that shall receive funding to provide respite  
24 care under community lifespan respite services programs.

25 (b) A requirement that each community lifespan respite  
26 services program publicize the telephone number and address where  
27 families and caregivers may contact the program.

1       Sec. 8. The department shall establish at least 6 community  
2 lifespan respite services programs in Michigan on or before the  
3 expiration of 1 year after the effective date of this act.

4       Sec. 9. The Michigan lifespan respite services program may  
5 use funds appropriated to the program for all of the following  
6 purposes:

7       (a) The purposes established in sections 3 and 4.

8       (b) Costs related to developing provider recruitment and  
9 training, information and referral, outreach, and other  
10 components of providing respite services.

11       (c) One-time-only startup costs related to establishing the  
12 community lifespan respite services program.

13       (d) Minimum administrative costs for operating the Michigan  
14 lifespan respite services program.