

HOUSE BILL No. 4674

May 30, 2017, Introduced by Reps. Hoadley, Griffin, Chang, Lasinski, Pagan, Maturen, Camilleri, Hammoud, Wittenberg, Schor, Faris, Leutheuser, Clemente, Chirkun, Sneller, Kahle, Love, Elder, Brinks, Durhal, Garrett, LaFave, Lucido, Pagel, Moss, Rabhi, Crawford, Iden, Calley, Victory, Gay-Dagnogo, Ellison, Robinson, Dianda, Peterson, Hertel, LaSata, Santana, Geiss, Sabo, Brann and Zemke and referred to the Committee on Health Policy.

A bill to require a feasibility study for long-term care; and to prescribe the responsibilities of certain state departments.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Department" means the department of health and human
3 services.

4 (b) "Director" means the director of the department.

5 (c) "Medicaid" and "state Medicaid program" mean the medical
6 assistance program administered under the social welfare act, 1939
7 PA 280, MCL 400.1 to 400.119b.

8 Sec. 2. (1) The department shall contract for an independent
9 feasibility study and actuarial model of public, private, and
10 public-private hybrid options to help individuals prepare for,

1 access, and afford the long-term services and supports they need.
2 The study shall include a report of its findings and a model for
3 all of the following:

4 (a) An affordable annual long-term care benefit available to
5 all who meet the minimum eligibility of needing assistance with 2
6 activities of daily living, with the maximum benefit amount to be
7 determined by actuarial analysis.

8 (b) A public-private reinsurance or risk-sharing model, with
9 the purpose of providing a stable and ongoing source of
10 reimbursement to insurers for a portion of their catastrophic long-
11 term care services and supports losses in order to provide
12 additional insurance capacity for the state. The entity would
13 operate as a public-private partnership supporting the private
14 sector's role as the primary risk bearer.

15 (c) A long-term care benefit paid for and open to those that
16 are not currently eligible for the state Medicaid program.

17 (2) The report required under subsection (1) shall include all
18 of the following:

19 (a) An analysis of public and private long-term care programs
20 that exist in the state, the participation rates for those
21 programs, and any clear gaps that exist, including, but not limited
22 to, gaps in coverage, affordability, and participation.

23 (b) The expected costs and benefits for participants in a new
24 long-term care benefit program, when accounting for a living wage
25 rate for home care workers and compliance with the fair labor
26 standards act of 1938, 29 USC 201 to 219, the federal regulations
27 in 29 CFR 552 relating to that act, and state labor laws.

1 (c) The total anticipated number of participants.

2 (d) The impact on the current workforce.

3 (e) A recruitment and retention plan to meet anticipated
4 shortage in the workforce due to the increasing aging population.

5 (f) The impact of current services, access to a paid
6 workforce, and affordability of care on family caregivers,
7 including how many family members are providing care to the
8 individual, the impact that providing care has on a family
9 caregiver's job, family caregivers' access to training programs,
10 how many hours of care a family caregiver is providing, the types
11 of services a family caregiver is performing, if the primary
12 caregiver is also caring for a child, and if there are children
13 present in the home who also assist with caring for the aging adult
14 in the home.

15 (g) The projected savings to the state Medicaid program, if
16 any.

17 (h) Legal and financial risks to the state.

18 (3) The department shall provide oversight and direction for
19 the analysis described in subsection (2) and shall convene
20 interested stakeholders, including consumer and worker
21 representatives, to provide ongoing input on the feasibility study
22 design. The department shall hold not fewer than 3 meetings for
23 stakeholders to comply with the provisions of this subsection, as
24 follows: a meeting before the study begins, during the study's
25 implementation, and after the study is completed.

26 (4) The feasibility study and the actuarial analysis that is
27 included in the feasibility study must be completed and submitted

1 to the department no later than 9 months after the start date of
2 the feasibility study. The department shall hold a public hearing
3 presenting its findings. The department shall submit a report,
4 including the director's findings and recommendations based on the
5 feasibility study and actuarial analysis, to the legislature no
6 later than 60 days after the completion of the feasibility study.

7 Enacting section 1. This act takes effect 90 days after the
8 date it is enacted into law.