

U.S. SENATOR BOB CASEY



CHAIRMAN Special Committee on Aging

The Home and Community-Based Services (HCBS) Relief Act of 2023

Why is the HCBS Relief Act of 2023 Needed?

Sixty-one (61) million people with disabilities live in the U.S. Fifty-four (54) million Americans are over the age of 65. Many people with disabilities and older Americans who need help with daily activities such as eating, dressing, traveling to work or school, and managing finances are eligible for Medicaid long-term services and supports (LTSS) to support their everyday needs. And up to 95 percent of these people want to receive these services in their own homes.

In a 2022 report, over 70 percent of direct service providers reported they cannot fill vacancies for LTSS workers. The lack of a sufficient direct care workforce results in reductions in home and community-based services (HCBS). In that report, 83 percent of providers said they turn away new referrals and 63 percent have discontinued programs and services. The vast majority of providers, over 90 percent, report they struggle to meet quality standards because of lack of staff. During the COVID-19 pandemic, extra HCBS funding helped states and providers retain workers and provide services to more people with worker bonuses, hazard pay and expanding HCBS eligibility criteria. But with that pandemic HCBS funding ending, over two-thirds of providers are concerned that high turnover and vacancy rates will worsen. Without a stable direct care workforce and provider network, families who need home care will need to make hard choices to care for their loved ones at home.

What would the HCBS Relief Act of 2023 do?

The *HCBS Relief Act of 2023* would provide dedicated Medicaid funds to states for two years to stabilize their HCBS service delivery networks, recruit and retain HCBS direct care workers, and meet the long-term service and support needs of people eligible for Medicaid home and community-based services. States would receive a 10-point increase in the federal match (FMAP) for Medicaid for two fiscal years to enhance HCBS. Funds could be used to increase direct care worker pay, provide benefits such as paid family leave or sick leave, and pay for transportation expenses to and from the homes of those being served. The additional funds also can be used to support family caregivers, pay for recruitment and training of additional direct care workers, and pay for technology to facilitate services. The funds can help decrease or eliminate the waiting lists for HCBS in the states.

Cosponsors: Senators Merkley, Duckworth, Smith, Blumenthal, Reed, Baldwin, Gillibrand, Sanders, Warren, Stabenow, Whitehouse, Booker, Welch, Kaine, Klobuchar, Fetterman, and Van Hollen

Endorsing organizations: *ANCOR, Association of Assistive Technology Act Programs (ATAP), Cure SMA, National Domestic Workers Alliance (NDWA), Care in Action, the Rehabilitation and Community Providers Association (RCPA) of Pennsylvania, Autism Society of America (ASA), ProVanta Care, National Association of Councils on Developmental Disabilities (NACDD), TASH, National Council for Mental Wellbeing, National Disability Institute (NDI), CEO Commission for Disability Employment, National Association of State Brain Injury Administrators, National Fragile X Foundation, Little Lobbyists, CommunicationFirst, Lakeshore Foundation, American Association on Health and Disability, National Alliance to End Homelessness, Justice in Aging, National Disability Rights Network, New Disabled South, PHI, Leading Age, Paralyzed Veterans of America (PVA), Christopher & Dana Reeves Foundation, National Council on Independent Living (NCIL), The Arc of the United States, National Academy of Elder Law Attorneys (NAELA), National Health Law Program (NHeLP), National Health Council, Bazelon Center for Mental Health Law, United Spinal Association and The Partnership for Inclusive Disaster Strategies.*