



The Affordable Care Act: Provisions that Will Help Caregivers

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Several provisions in the new health care law, the Affordable Care Act, will result, directly or indirectly, in more help for caregivers and more information being made available for them to make good choices about the care of their loved ones. This brief outlines some of the programs that will be created or improved under the health care law.

Building the Long-Term Care Workforce

What the Affordable Care Act Does

Establishes a National Health Care Workforce Commission

How It Will Help Caregivers

Until the enactment of the Affordable Care Act, the United States did not have a system for comprehensive health care workforce planning. The commission (along with other entities created by the Affordable Care Act) establishes the framework for such a system. It will advise Congress on health care workforce needs and policies that are needed to address those needs. This will help policy makers develop strategies to address workforce shortages, such as shortages in geriatrics and long-term care workers.

What the Affordable Care Act Does

Establishes a National Center for Health Care Workforce Analysis

How It Will Help Caregivers

Until the Affordable Care Act was enacted, there was no comprehensive information on the distribution of the health care workforce or on population needs that could help policy makers develop appropriate workforce policies. This center will develop the workforce supply and demand data that are needed to create a comprehensive workforce strategy. It will work closely with the National Health Care Workforce Commission.

What the Affordable Care Act Does

Establishes a State Health Care Workforce Development Grant Program

How It Will Help Caregivers

This program will provide grants to states to develop and carry out workforce planning, including planning for the long-term care workforce.

What the Affordable Care Act Does

Provides New Grants and Training Opportunities for Long-Term Care Workers

How It Will Help Caregivers

The Affordable Care Act adds a new section to the Public Health Services Act to provide grants to encourage people to train to be long-term care workers. Grant recipients will need to make a minimum two-year service commitment.

What the Affordable Care Act Does

Establishes Personal Attendant Workforce Development Programs through the Community Living Assistance Services and Supports (CLASS) Act

How It Will Help Caregivers

The CLASS program is best known as a voluntary long-term care insurance program, but it also includes important workforce development provisions. It requires states to provide the infrastructure to support development of a larger personal attendant workforce. This is to ensure that states have plans to build their long-term care workforce to meet the needs of an aging population.

What the Affordable Care Act Does

Establishes a Grant Program for Long-Term Care Facilities to Develop Training and Staff Retention Programs through the Elder Justice Act

How It Will Help Caregivers

The Elder Justice Act establishes a grant program for long-term care facilities to develop training, career advancement, and staff retention programs. This includes funding for demonstration projects to determine the best ways to improve training and improve retention among these workers. Better training will improve nursing facility care.

A New Long-Term Care Insurance Program

What the Affordable Care Act Does

Establishes a New Voluntary Long-Term Care Insurance Program

How It Will Help Caregivers

The Community Living Assistance Services and Supports (CLASS) program is the first federal, voluntary long-term care insurance program. Until now, long-term care coverage has been available primarily through individual policies purchased in the private insurance market, or, once someone has depleted his or her savings, through Medicaid. CLASS is a program for working adults that will provide a cash benefit to enrollees who have been in the program for at least five years and who need long-term services. It is designed to give people added funds so that they can continue living at home or in the community. It will be fully funded by enrollee premiums (premiums and benefits have not yet been set). The program will likely be available in 2013.

Programs that Give States Incentives to Expand Home- and Community-Based Services in Medicaid

What the Affordable Care Act Does

Creates a New, Optional Program Called the State Balancing Incentive Payments Program

How It Will Help Caregivers

This four-year program will be open to states that spend less than 50 percent of their Medicaid long-term services dollars on non-institutional care. It provides an added Medicaid match for states to develop administrative programs that have been shown to increase the use of home- and community-based services in Medicaid. The added match will be either 2 or 5 percentage points, depending on a state's percent of Medicaid long-term care spending that is allocated to non-institutional care at the end of 2009. The increase will apply only to non-institutional long-term care spending. It will be available in October 2011.

What the Affordable Care Act Does

Creates a New, Optional Program for Home- and Community-Based Services in Medicaid Called the Community First Choice Option

How It Will Help Caregivers

This is a new program that states can add to their Medicaid programs. It allows states to offer a broad range of personal attendant services to Medicaid beneficiaries who are living in the community. It also covers supports, such as assistive devices and training, if their use would reduce the need for personal attendants. It is designed to help more people in Medicaid continue living in their homes or in the community, rather than having to move to a nursing facility. States that take up the option will receive a 6 percentage point increase in their federal Medicaid match for program costs. The increased federal match does not expire. The program will be available in October 2011.

Programs to Improve Resources that Help Caregivers and Consumers

What the Affordable Care Act Does

Provides Added Funding for Aging and Disability Resource Centers

How It Will Help Caregivers

The Affordable Care Act provides additional funding for states to expand their aging and disability resource centers. These centers provide information on care options, help people connect with services, and advise on options to finance care. Additional funding will allow them to better serve consumers.

What the Affordable Care Act Does

Requires Improvements to the Nursing Home Compare Website

How It Will Help Caregivers

Before enactment of the Affordable Care Act, there were no requirements about the information that is provided on Medicare's Nursing Home Compare website. The new law outlines information that nursing homes must provide, including information on staffing levels; complaints filed against the facility, adjudications, and outcomes; and plans for corrective action. This will be posted on the Nursing Home Compare website so that consumers will have more information on nursing home quality.

Programs that Protect Seniors and People with Disabilities

What the Affordable Care Act Does

Provides More Funding for State Services that Protect Seniors and People Who Need Long-Term Care from Abuse, Neglect, and Financial Exploitation

How It Will Help Caregivers

As part of the Elder Justice Act, new funding will be available to state adult protective services offices to develop national strategies to combat elder abuse, to enhance the services that are provided by adult protective services offices, and to fund demonstration projects that test new methods to track elder abuse. Funding is also available for state long-term care ombudsman offices to conduct training programs on abuse detection. The act also establishes a National Training Institute for Federal and State Surveyors for people who investigate reports of elder abuse and abuse in long-term care facilities. This will improve national efforts to combat elder abuse.

What the Affordable Care Act Does

Establishes a Nationwide Background Check Program for Job Applicants Who Apply to Care for People Who Need Long-Term Services

How It Will Help Caregivers

The Department of Health and Human Services (HHS) will establish a nationwide criminal background check program for prospective long-term care employees who apply to work directly with patients. This will keep individuals with criminal records from working with vulnerable populations and should result in improved patient care and fewer cases of abuse.

Programs that Improve Nursing Home Care

What the Affordable Care Act Does

Requires Nursing Facilities to Provide Dementia and Abuse Prevention Training

How It Will Help Caregivers

Nursing facilities must now conduct dementia management and abuse prevention training for all new employees. The Secretary of Health and Human Services (HHS) has the option of requiring facilities to conduct ongoing training. This training should result in improved patient care and fewer cases of abuse.

What the Affordable Care Act Does

Requires Nursing Facilities to Institute Compliance and Ethics Programs for All Employees

How It Will Help Caregivers

Until enactment of the Affordable Care Act, there was no requirement that nursing facilities have compliance or ethics programs for staff. Facilities now must develop programs to train staff regarding care standards and identifying and reporting abuse, neglect, and administrative violations. This should improve the quality of care that is provided in nursing facilities.

What the Affordable Care Act Does

Funds Demonstration Projects to Study “Culture Change” in Nursing Homes

How It Will Help Caregivers

“Culture change” refers to a growing effort to transform nursing homes into less institutional, more home-like environments. However, it is unclear how best to achieve this goal. The Affordable Care Act funds demonstration projects to test different nursing home care models. The results should help improve nursing home care more broadly.

What the Affordable Care Act Does

Requires Adequate Consumer Notification of Nursing Facility Closures

How It Will Help Caregivers

Nursing facilities have been known to close without making adequate provisions for the ongoing care of residents. Nursing facilities are now required to provide at least 60 days' notice of closure to the state long-term care ombudsman office, the Secretary of Health and Human Services (HHS), and residents and their representatives. The notice must include plans for relocating residents. The state must ensure that residents are relocated before closure. If needed, Medicare and Medicaid payments to nursing homes may continue until patients are relocated. This provision should ensure that there is adequate time to plan for ongoing care.

What the Affordable Care Act Does

Establishes a National Nursing Home Monitoring Project

How It Will Help Caregivers

The Affordable Care Act establishes a pilot program to oversee nursing facility chains that operate in multiple states. The Office of the Inspector General and the Department of Health and Human Services (HHS) will work together to develop and operate this program. It will focus on interstate chains with chronic safety problems. This should improve the quality of care in troubled facilities.



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