

111TH CONGRESS
1ST SESSION

H. R. 4224

To establish a pilot program to train public housing residents as home health aides and in home-based health services to enable such residents to provide covered home-based health services to residents of public housing and residents of federally-assisted rental housing, who are elderly and disabled, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 8, 2009

Ms. VELÁZQUEZ (for herself, Mr. FRANK of Massachusetts, and Ms. WATERS) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To establish a pilot program to train public housing residents as home health aides and in home-based health services to enable such residents to provide covered home-based health services to residents of public housing and residents of federally-assisted rental housing, who are elderly and disabled, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Together We Care Act
5 of 2009”.

1 **SEC. 2. FINDINGS AND PURPOSE.**

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

3 (1) The “baby boom” generation will require
4 health care attention that will exceed the current
5 supply of health care providers.

6 (2) There is a shortage of training programs
7 specializing in health care and long-term services
8 that focus on home care instead of institutionalized
9 care.

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

14 (4) Estimates indicate that there are
15 44,000,000 caregivers in the United States pro-
16 viding unpaid care to at least one adult, representing
17 22,900,000 households.

18 (5) Of working persons providing unpaid care,
19 62 percent have had to make adjustments to work
20 schedules or leave employment.

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

25 (7) Many residents of public housing in the
26 United States are aging and in need of care.

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

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

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

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

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

1 to establish training programs in home-based health
 2 services for public housing residents; and

3 (2) to provide needed home care options to el-
 4 derly and disabled public housing residents (includ-
 5 ing elderly and disabled veterans who are public
 6 housing residents) and elderly and disabled residents
 7 of federally-assisted rental housing to allow them to
 8 remain in their homes and their communities.

9 **SEC. 3. PILOT GRANT PROGRAM TO TRAIN PUBLIC HOUS-**
 10 **ING RESIDENTS TO PROVIDE COVERED**
 11 **HOME-BASED HEALTH SERVICES.**

12 Section 34 of the United States Housing Act of 1937
 13 (42 U.S.C. 1437z–6) is amended by adding at the end
 14 the following new subsections:

15 “(f) PILOT GRANT PROGRAM TO TRAIN PUBLIC
 16 HOUSING RESIDENTS TO PROVIDE COVERED HOME-
 17 BASED HEALTH SERVICES.—

18 “(1) ESTABLISHMENT OF PILOT GRANT PRO-
 19 GRAM.—The Secretary, in consultation with the Sec-
 20 retary of Health and Human Services, shall estab-
 21 lish a competitive grant program to make grants to
 22 eligible entities under paragraph (2) for use for the
 23 training of public housing residents as home health
 24 aides and as providers of home-based health services
 25 (including as personal and home care aides) to en-

1 able such residents to provide covered home-based
2 health services to—

3 “(A) residents of public housing who are
4 elderly or disabled, or both (including elderly
5 and disabled veterans who are residents of pub-
6 lic housing); and

7 “(B) subject to the criteria set forth pur-
8 suant to paragraph (3), residents of federally-
9 assisted rental housing who are elderly or dis-
10 abled, or both.

11 “(2) ELIGIBLE ENTITIES.—A grant under this
12 subsection may be made only to an entity that—

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

20 “(B) demonstrates to the satisfaction of
21 the Secretary that it has established, or pro-
22 vides such assurances that it will establish, an
23 employment training program to train public
24 housing residents to provide covered home-

1 based health services that complies with regula-
2 tions that the Secretary shall issue.

3 “(3) RESIDENTS OF FEDERALLY-ASSISTED
4 RENTAL HOUSING.—The Secretary may set forth
5 criteria under which an entity receiving funding
6 under this subsection may train public housing resi-
7 dents to provide covered home-based health services
8 to elderly and disabled residents of federally-assisted
9 rental housing.

10 “(4) APPLICATION.—To be eligible for a grant
11 under this subsection an eligible entity under para-
12 graph (2) shall submit to the Secretary an applica-
13 tion at such time, in such manner, and containing
14 such information as the Secretary shall require.

15 “(5) COMPETITIVE GRANT AWARDS.—

16 “(A) GENERAL CRITERIA FOR SELEC-
17 TION.—The Secretary shall establish policies
18 and procedures for reviewing and approving
19 funding for eligible entities through a competi-
20 tive process taking into consideration—

21 “(i) with respect to the service area in
22 which public housing residents trained
23 under an employment training program de-
24 scribed in paragraph (2)(B) will provide
25 covered home-based health services—

1 “(I) the percentage of residents
2 age 62 and older;

3 “(II) the percentage of disabled
4 residents; and

5 “(III) the percentage of unem-
6 ployed or underemployed residents;

7 “(ii) the ability of an eligible entity to
8 provide training that leads to the provision
9 of quality care;

10 “(iii) the record of the quality of care
11 of an eligible entity; and

12 “(iv) such other criteria as determined
13 by the Secretary.

14 “(B) GEOGRAPHIC CONSIDERATION.—In
15 awarding grants, the Secretary shall consider a
16 geographic mix of a variety of eligible entities
17 so that the grant program will include at
18 least—

19 “(i) one employment training program
20 described in paragraph (2)(B) that pri-
21 marily serves an urban population;

22 “(ii) one employment training pro-
23 gram described in paragraph (2)(B) that
24 primarily serves a rural population;

1 “(iii) one employment training pro-
2 gram described in paragraph (2)(B) that
3 primarily serves an Indian population; and

4 “(iv) one employment training pro-
5 gram described in paragraph (2)(B) that
6 primarily serves a population in the Com-
7 monwealth of Puerto Rico, the United
8 States Virgin Islands, Guam, American
9 Samoa, or the Commonwealth of the
10 Northern Mariana Islands.

11 “(6) USE OF GRANT FUNDS.—An entity receiv-
12 ing funding under this subsection may use such
13 funds—

14 “(A) to establish (or maintain) and carry-
15 out an employment training program to train
16 public housing residents to provide covered
17 home-based health care services to elderly and
18 disabled public housing residents and elderly
19 and disabled residents of federally-assisted rent-
20 al housing;

21 “(B) for the transportation expenses of
22 public housing residents in training under such
23 an employment training program;

1 “(C) for the child care expenses of public
2 housing residents in training under such an em-
3 ployment training program;

4 “(D) for the administrative expenses of
5 carrying out such an employment training pro-
6 gram; and

7 “(E) for any other activity the Secretary
8 determines appropriate.

9 “(7) REPORT TO CONGRESS.—Not later than
10 24 months after the date of the enactment of the
11 Together We Care Act of 2009, the Secretary shall
12 submit to Congress a report on the use and impact
13 of the grant program established by this subsection.
14 The report shall include—

15 “(A) a review of the effectiveness of the
16 program in—

17 “(i) providing jobs for public housing
18 residents;

19 “(ii) meeting the unmet health and
20 long-term care needs of elderly and dis-
21 abled residents of public housing and elder-
22 ly and disabled residents of federally-as-
23 sisted rental housing; and

24 “(iii) enabling the provision of quality
25 care; and

1 “(B) any recommendations the Secretary
 2 determines appropriate regarding the grant pro-
 3 gram.

4 “(8) DEFINITIONS.—As used in this subsection,
 5 subsection (g), and subsection (h):

6 “(A) HOME-BASED HEALTH SERVICES.—
 7 The term ‘home-based health services’ means
 8 health care and long-term services provided to
 9 an individual in a place of residence used as
 10 such individual’s home and includes—

11 “(i) home health services described in
 12 section 1861(m) of the Social Security Act
 13 (42 U.S.C. 1395x(m));

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

17 “(iii) home-based services which may
 18 be covered under a waiver under subsection
 19 (c) or (d) of section 1915 of such Act (42
 20 U.S.C. 1396n).

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

1 “(C) COVERED.—The term ‘covered’
2 means, with respect to home-based health serv-
3 ices, such services—

4 “(i) for which medical assistance is
5 available under a State plan under title
6 XIX of the Social Security Act; or

7 “(ii) for which financial assistance is
8 available under subsection (g).

9 “(D) FEDERALLY-ASSISTED RENTAL
10 HOUSING.—The term ‘federally-assisted rental
11 housing’ means—

12 “(i) housing assisted under section
13 202 of the Housing Act of 1959 (12
14 U.S.C. 1701q);

15 “(ii) housing assisted under section
16 515 of the Housing Act of 1949 (42
17 U.S.C. 1485);

18 “(iii) housing assisted under section 8
19 of the United States Housing Act of 1937
20 (42 U.S.C. 1437f) (including project-based
21 and tenant-based assistance);

22 “(iv) housing assisted under the block
23 grant program under the Native American
24 Housing Assistance and Self-Determina-
25 tion Act of 1996 (25 U.S.C. 4101 et seq.);

1 “(v) housing financed by a mortgage
2 insured under section 221(d)(3) of the Na-
3 tional Housing Act (12 U.S.C.
4 1715l(d)(3)) or held by the Secretary, a
5 State, or State agency; and

6 “(vi) housing assisted under section
7 811 of the Cranston-Gonzalez National Af-
8 fordable Housing Act (42 U.S.C. 8013).

9 “(9) INAPPLICABILITY OF PREVIOUS SUB-
10 SECTIONS.—Subsections (a) through (e) shall not
11 apply to this subsection, subsection (g), and sub-
12 section (h).

13 “(10) RULE OF CONSTRUCTION.—This sub-
14 section and subsection (g) may not be construed as
15 affecting any requirement under State law for train-
16 ing, licensure, or any other certification as a home
17 health aide or as a provider of any home-based
18 health service under this subsection and subsection
19 (g).

20 “(11) REGULATIONS.—Not later than 6 months
21 after the date of enactment of the Together We Care
22 Act of 2009, the Secretary shall issue regulations to
23 carry out this subsection.

24 “(12) AUTHORIZATION OF APPROPRIATIONS.—
25 There are authorized to be appropriated \$2,500,000

1 for each of the fiscal years 2010, 2011, and 2012,
2 for grants under this subsection.

3 “(g) FINANCIAL ASSISTANCE FOR HOME-BASED
4 HEALTH SERVICES IN CERTAIN JURISDICTIONS.—

5 “(1) FINANCIAL ASSISTANCE.—The Secretary,
6 in consultation with the Secretary of Health and
7 Human Services, may provide financial assistance
8 under this subsection to entities receiving grant
9 funds under the pilot program established under
10 subsection (f) that provide training for public hous-
11 ing residents as home health aides and as providers
12 of home-based health services and provide (or pay
13 for) such services for use only for their costs in pro-
14 viding (or paying for) such services to—

15 “(A) residents of public housing who are
16 elderly or disabled, or both (including elderly or
17 disabled veterans who are residents of public
18 housing); or

19 “(B) at the discretion of the Secretary,
20 residents of federally-assisted rental housing
21 who are elderly or disabled, or both.

22 “(2) REQUIREMENTS.—

23 “(A) LOCATION.—Assistance under para-
24 graph (1) may be provided only for services fur-
25 nished in locations in which medical assistance

1 for home-based health services is not available
2 under a State plan under title XIX of the So-
3 cial Security Act.

4 “(B) TRAINED PUBLIC HOUSING RESI-
5 DENTS.—Assistance under paragraph (1) may
6 be used only for costs of services described in
7 paragraph (1) that are provided by public hous-
8 ing residents trained by an entity receiving
9 grant funds under the pilot program established
10 under subsection (f).

11 “(3) ELIGIBILITY.—To be eligible for financial
12 assistance under this subsection an entity shall—

13 “(A) provide such assurances as the Sec-
14 retary shall require that it will use the funds
15 only as provided in paragraphs (1) and (2);

16 “(B) submit to the Secretary an applica-
17 tion at such time, in such manner, and con-
18 taining such information as the Secretary re-
19 quires; and

20 “(C) comply with such other terms and
21 conditions as the Secretary shall establish to
22 carry out this subsection.

23 “(4) AUTHORIZATION OF APPROPRIATIONS.—

24 There are authorized to be appropriated \$2,500,000

1 for each of the fiscal years 2010, 2011, and 2012,
2 for financial assistance under this subsection.

3 “(h) IMPACT OF INCOME ON ELIGIBILITY FOR HOUS-
4 ING BENEFITS.—For any resident of public housing who
5 is trained as a home health aide or as a provider of home-
6 based health services pursuant to the program under sub-
7 section (f), any income received by such resident for pro-
8 viding covered home-based health services shall apply to-
9 wards eligibility for benefits under Federal housing pro-
10 grams as follows:

11 “(1) No income received shall apply for the 12
12 months after the completion of the training of such
13 resident.

14 “(2) 25 percent of income received shall apply
15 for the period that is 12 to 24 months after the
16 completion of the training of such resident.

17 “(3) 50 percent of income received shall apply
18 for the period that is 24 to 36 months after the
19 completion of the training of such resident.

20 “(4) 100 percent of income received shall apply
21 for any period that begins after 36 months after the
22 completion of the training of such resident.”.

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