

116TH CONGRESS
2D SESSION

S. 4940

To amend subtitle A of title XX of the Social Security Act to authorize direct support worker career advancement demonstration projects, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 1, 2020

Mr. KING introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend subtitle A of title XX of the Social Security Act to authorize direct support worker career advancement demonstration projects, 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 “Career Advancement
5 for Direct Support Aid Workers Act” or the “CADSAW
6 Act”.

1 **SEC. 2. DIRECT SUPPORT WORKER CAREER ADVANCEMENT**
 2 **DEMONSTRATION PROJECTS.**

3 (a) IN GENERAL.—Section 2008 of the Social Secu-
 4 rity Act (42 U.S.C. 1397g) is amended—

5 (1) by adding at the end the following new sub-
 6 section:

7 “(e) DIRECT SUPPORT WORKER CAREER ADVANCE-
 8 MENT DEMONSTRATION PROJECTS.—

9 “(1) IN GENERAL.—The Secretary, in consulta-
 10 tion with the Secretary of Labor, shall award, from
 11 the amount appropriated under paragraph (4),
 12 grants to eligible entities to conduct demonstration
 13 projects that are designed to provide eligible individ-
 14 uals with opportunities for education, training, and
 15 career advancement as a personal or home care aide,
 16 home health aide, or nursing assistant.

17 “(2) DEFINITIONS.—In this subsection:

18 “(A) ELIGIBLE ENTITY.—The term ‘eligi-
 19 ble entity’ has the meaning given such term in
 20 subsection (a).

21 “(B) ELIGIBLE INDIVIDUAL.—The term
 22 ‘eligible individual’ means an individual—

23 “(i) whose income does not exceed
 24 200 percent of the poverty line (as defined
 25 in section 2110(c)(5)) applicable to a fam-
 26 ily of the size involved; and

1 “(ii) who is employed as a personal or
2 home care aide who—

3 “(I) has at least 30 percent pa-
4 tient volume (as estimated in accord-
5 ance with a methodology established
6 by the Secretary) attributable to indi-
7 viduals who are receiving medical as-
8 sistance under title XIX; or

9 “(II) is employed by an agency
10 that is a provider of personal or home
11 care services that has at least 30 per-
12 cent of the agency’s patient volume
13 (as so estimated) attributable to such
14 individuals.

15 “(C) PERSONAL OR HOME CARE AIDE.—
16 The term ‘personal or home care aide’ has the
17 meaning given such term in subsection (b).

18 “(3) REQUIREMENTS.—

19 “(A) PRIORITIZATION OF PROJECTS THAT
20 SUPPORT RURAL AREAS, UNDERSERVED AREAS,
21 AND WOMEN AND BLACK AND LATINX INDIVID-
22 UALS.—The Secretary shall ensure that not less
23 than half of the demonstration projects sup-
24 ported by grants awarded under this subsection
25 support—

1 “(i) eligible individuals in rural areas
2 (as defined in section 2007(f)(5));

3 “(ii) eligible individuals in under-
4 served urban areas (including urban health
5 professional shortage areas (as defined in
6 section 332 of the Public Health Service
7 Act)); or

8 “(iii) eligible individuals who are
9 women, who are Black or Latinx individ-
10 uals, or who belong to other underserved
11 and diverse populations such as Asian, Pa-
12 cific Islander, Native American, or Alaska
13 Native communities.

14 “(B) AMOUNT OF GRANT.—In no case
15 shall the Secretary award an eligible entity a
16 grant to conduct a demonstration project under
17 this subsection in an amount that exceeds
18 \$750,000 for each year that the entity conducts
19 such project.

20 “(C) REPORTS.—

21 “(i) INTERIM REPORTS.—An eligible
22 entity awarded a grant to conduct a dem-
23 onstration project under this subsection
24 shall submit interim reports to the Sec-
25 retary on the activities carried out under

1 the project and a final report on such ac-
2 tivities upon the conclusion of the entities'
3 participation in the project.

4 “(ii) EVALUATION.—The Adminis-
5 trator of the Health Resources and Serv-
6 ices Administration shall evaluate the dem-
7 onstration projects conducted under this
8 subsection. Such evaluation shall include
9 identification of successful activities for
10 creating opportunities for developing and
11 sustaining, particularly with respect to low-
12 income individuals and long-term workers,
13 a health or human services professions
14 workforce that has accessible opportunities
15 for career advancement, that meets high
16 standards for education, training, certifi-
17 cation, and professional development, that
18 provides increased wages and affordable
19 benefits, including health care coverage,
20 that are responsive to the workforce’s
21 needs, and that is responsive to the needs
22 of diverse racial and ethnic communities.

23 “(iii) REPORT TO CONGRESS.—Not
24 later than 1 year after the demonstration
25 projects conducted under this subsection

1 conclude, the Secretary shall submit a final
2 report to Congress on such demonstration
3 projects that includes—

4 “(I) the result of the evaluation
5 conducted under clause (ii); and

6 “(II) such recommendations for
7 legislation or administrative actions as
8 the Secretary deems appropriate.

9 “(iv) ADDITIONAL REPORT.—Not
10 later than 1 year after the demonstration
11 projects conducted under this subsection
12 conclude, the Secretary shall submit to the
13 Committee on Health, Education, Labor,
14 and Pensions of the Senate and the Com-
15 mittee on Education and Labor of the
16 House of Representatives and make pub-
17 licly available, a report on the activities
18 and results of such projects. Such report
19 shall describe—

20 “(I) the number and geographic
21 distribution of the grants awarded
22 under this subsection;

23 “(II) the participation of under-
24 represented and economically dis-
25 advantaged participants in demonstra-

1 tion projects conducted under this
2 subsection; and

3 “(III) recommendations for pro-
4 gram revisions to achieve the desired
5 program outcome.

6 “(4) APPROPRIATION.—Out of any funds in the
7 Treasury not otherwise appropriated, there are ap-
8 propriated to the Secretary to carry out this sub-
9 section \$5,000,000 for each of fiscal years 2021,
10 2022, and 2023.”.

11 (b) INCENTIVE PAYMENTS FOR HOME HEALTH
12 SERVICES FURNISHED BY HOME HEALTH AIDES WHO
13 COMPLETE CERTAIN TRAINING.—Section 1834 of the So-
14 cial Security Act (42 U.S.C. 1395m) is amended by add-
15 ing at the end the following new subsection:

16 “(x) INCENTIVE PAYMENTS FOR HOME HEALTH
17 SERVICES FURNISHED BY HOME HEALTH AIDES WHO
18 COMPLETE CERTAIN TRAINING.—In the case of home
19 health services furnished on or after October 1, 2020, by
20 a home health aide who has successfully completed edu-
21 cation or training under a Direct Support Worker Career
22 Advancement demonstration project under section
23 2008(e), in addition to the amount of payment that would
24 otherwise be made for such services under this part, there

- 1 also shall be paid an amount equal to 25 percent of the
- 2 payment amount for the service under this part.”.

