

From: Justice In Aging <info@justiceinaging.org>

To: conlap <conlap@aol.com>

Subject: Action Steps to Prevent Service Cuts as a result of new Home Care Rule

Date: Thu, Oct 1, 2015 1:29 pm

JUSTICE IN AGING

FIGHTING SENIOR POVERTY THROUGH LAW

Health Network Alert

Action Steps to Prevent Service Cuts and Protect Consumer-Directed Programs as New Home Care Rule Takes Effect

A new Department of Labor regulation governing home care services for seniors and people with disabilities that is slated to go into effect in mid-October may impact some of your state's long-term care programs. The new regulation offers an opportunity to raise overall compensation for care providers and address historical inequities in pay, potentially increasing stability and support for consumers, if states implement it appropriately. However, the rule may cause unintended harms to consumers in "consumer-directed" programs where the person receiving services can hire his or her own worker (oftentimes family or close friends) and can direct the care the worker provides.

Older adults, people with disabilities, and advocates must be knowledgeable about this rule and advocate to ensure your state implements the rule in a way that helps consumers and the important workers who provide services to them and does not cause cuts to services, dismantle programs that allow consumers to control their own care, or further limit this critical workforce. All policies should be designed to avoid cuts in service which place people at serious risk of institutionalization, as such policies would likely violate the requirements of the Americans with Disabilities Act and *Olmstead*.

A group of advocates including Justice in Aging, The Bazelon Center for Mental Health Law, the American Association of People with Disabilities, the Association of University Centers on Disability, the National Association of Councils on Developmental Disabilities, the National Council on Independent Living, and the National Disability Rights Network has issued Action Steps for Consumers and Advocates Regarding the Home Care Rule and an accompanying summary, Home Care Rule Advocacy Fact Sheet, to help people with disabilities, seniors, and advocates take action. To learn more, [download Action Steps here](#) and the [Fact Sheet here](#).

Connect with Us



