

PHI commends the Senate HELP Committee on the release of its draft bill, the *Affordable Health Choices Act*. The bill represents a major step toward ensuring affordable, accessible, comprehensive health coverage for all Americans. As an organization dedicated to our nation's three million direct-care workers and the millions of elders and people with disabilities they serve, PHI makes the following recommendations for improving and strengthening the bill:

- **Include “Direct Care Workers” in new definitions being added to Title VII of the Public Health Services act and to definitions of the Health Care Workforce.**
This will ensure full recognition of this workforce which is vital to the delivery of long-term services and supports and a valuable asset in managing and preventing chronic disease, promoting health, and controlling health care costs.
- **Include a review of training standards for Direct Care Workers and provide support for needed upgrades.**
There are no federal training standards for Personal Care Aides (PCAs) and the federal requirements for Certified Nurse Aides and Home Health Aides have not been revised in over twenty years. Direct care worker competencies and corresponding training standards should be reviewed to ensure that they support the delivery of quality, person-centered services. Grant funds to states for piloting and evaluating PCA competencies and training curricula are a critical first step in articulating a training system for these workers who now constitute the second fastest growing occupation in the country.
- **Provide grants to support the recruitment and retention of the direct care workforce.**
Providing grant funds to states to evaluate methods for recruiting and retaining an adequate supply of direct care workers is imperative to meeting the current and growing demand for long term services and supports, and supporting the efficient delivery of health services.
- **Recognize the direct care workforce as part of the community health workforce.**
Given their daily interaction with millions of Americans with chronic illnesses and disabilities, direct care workers are ideally positioned to promote health and nutrition in the community. Include them in efforts and initiatives to promote the engagement of the community health workforce in providing these functions.
- **Fund grants to promote the Community Living Assistance Services and Supports (CLASS) Workforce.**
The CLASS provisions provide critical financial support to enable individuals with chronic illnesses or disabilities to live independently in their communities. States need support to ensure sufficient workforce capacity to meet this goal.

For further information please contact either Carol Regan at 301-565-8208, cregan@phinational.org or Steve Edelstein at 718-402-7413, sedelstein@phinational.org

Workforce Recommendations
HELP Committee Health Reform Bill

June 12, 2009

Title I Quality Affordable Health Coverage for All Americans
Subtitle H – Community Living Assistance Services and Supports (CLASS)

Section 3209

(c) Personal Care Attendants Workforce Advisory Panel

(1) Establishment

On page 207

Insert at end of line 5:

“and to establish minimum training standards to ensure quality care.”

On page 207

Insert two new sections, (c)(3) and (c)(4), after section (c) (2) Member ship:

“(c) (3) Demonstration Program for Personal Care Attendant Competencies and Training
Within one year of the establishment of the PCA Workforce Advisory Panel, the panel will:

1. Submit a report to the Secretary of HHS articulating core competencies for eligible personal or home care aides necessary to successfully provide long-term services and supports to eligible consumers, and
2. Transmit to the Secretary training curricula and resources the panel has identified or developed that most effectively convey those competencies.

Within 180 days of receipt of the report and training curricula, the Secretary shall establish a 3 year demonstration program in 4 states to pilot and evaluate the effectiveness of such competencies, training curricula and training methods.

Not later than 1 year after the completion of the program, the Secretary shall submit to Congress a report containing the results of the evaluations , together with such recommendations for legislation or administrative action as the Secretary determines appropriate.”

(c)(4). Grants to Promote Community Living Assistance Services and Supports (CLASS) Workforce.

The Secretary of HHS shall establish a grant program to assist states in building an adequate, stable, qualified workforce to meet the demand for community living assistance services and to assist them in reorienting their long-term care systems toward HCBS.

Permissible uses of grant funds include:

- Developing state direct-care workforce plans
- Expanding and upgrading training programs and infrastructure for direct-care workers across long-term settings and programs
- Implementing direct-care worker data collection and workforce monitoring systems

- Establishing recruitment and retention programs, including initiatives to enhance direct-care worker wages and benefits
- Creating structures and coordinating resources to support workers and consumers in consumer-directed programs
- Developing programs that promote the role of direct-care workers in new cost-effective models of chronic care that include approaches such as remote monitoring, integrated continuing care across settings, and wellness and prevention.

States will be supported in developing and undertaking their grant initiatives with technical assistance through the CMS National Direct Service Workforce Resource Center.

[Alternatively, “Grants to Promote Community Living Assistance Services and Supports (CLASS) Workforce” could be inserted in Title V, Subtitle. See below]

Title IV – Health Care Workforce

Subtitle A – Purpose and Definitions

Section 402 – Definitions

(b) Title IV of the Public Health Service Act.

On page 427

Add definition of “Direct Care Worker” between (15) Cultural Competency and (16) Federally Qualified Health Center as follows:

“(16) DIRECT CARE WORKER. – The term ‘direct care worker’ is defined by the 2010 Standard Occupational Classifications of the Department of Labor for Home Health Aides [31-1011], Psychiatric Aides [31-1013], Nursing Assistants [31-1014], and Personal Care Aides [39-9021].”

[Re-number definitions that follow.]

Subtitle B – Innovations in the Health Care Workforce

Section 411 National Health Care Workforce Commission

(a)(2) *on page 432* “develops and commissions evaluations of education and training activities to determine whether the demand for workers is being met;”

Insert at end “and the adequacy of current training standards for such workers”

(d)(3) *on page 439* High Priority Areas

Insert on p. 440 Priority for direct-care workforce:

“(ix) Direct care workforce capacity, in all settings, including education and training capacity, projected demand and integration within the health care delivery system”

(i)(1) *on page 445* Definitions – Health Care Workforce

Insert “health care paraprofessionals and direct care workers”

Section 413 Health Care Workforce Program Assessment

(b) National Center for Health Care Workforce Analysis

(4) Collaboration and Data Sharing

(A) In General *on p 461*

Insert “and health paraprofessional organizations and education organizations”

(B) Contracts for Health Workforce Analysis

Insert :and health paraprofessional organizations and education organizations”

Subtitle C – Increasing the Supply of the Health Care Workforce

Subpart 3 - Recruitment and Retention Programs

On p 484, After Section on Allied Health Workforce Recruitment and Retention Programs

Add new section on “Direct Care Workforce Recruitment and Retention Program”:

“Sec. XXX. Direct Care Workforce Recruitment and Retention Programs.

The Secretary shall establish a demonstration program to make grants to States to evaluate recruitment and retention strategies (including wage enhancements) for personal care aides, nursing assistants, and home health aides, provide technical assistance to States in implementing the strategies selected, and evaluate the impact of such strategies on the recruitment and retention of personal care aides, nursing assistants, and home health aides in order to ensure an adequate supply of direct care workers to eliminate critical direct care worker shortages. “

Subtitle D – Enhancing Health Care Workforce Education and Training

Section 747A Training Opportunities for Direct Care Workers *on page 500*

Insert new section after (a) in General

“(b) **Review of Minimum Training Standards.** -

Within 180 days, the Secretary shall review current federal training standards for direct care workers, applicable state standards and make recommendations for upgrading required competencies and improving training for certified nursing assistants and home health aides.”

Section 831A Nurse Retention Grants –

(c)Enhancing Patient Care Delivery System –

(1) Grants *on page 533*

Change “other health care professionals” to “other members of the health care team”

Sec. 443 Grants to Promote Community Health Workforce

On page 544

Amend title to “Grants to Promote Community Health and Other Health Assistance Workforce”

On Page 545

Add definition:

“Other Health Assistance Worker - The term ‘other health assistance worker’ means an individual who provides non-residential and non-medical personal and social assistance services and supports in homes and other community settings (including day programs). These services and supports sometimes complement other health-oriented services and

provide people assistance with essential activities of daily living that relate to general physical, emotional, and cognitive well-being.”

On page 546

On line 8 after Sec 443. Grants to Promote the Community Health Workforce:

Add new section “Grants to promote the community living assistance services and supports workforce”

Sec. XXX. Grants to Promote the Community Living Assistance Services and Supports (CLASS) Workforce.

The Secretary of HHS shall establish a grant program to assist states in building an adequate, stable, qualified workforce to meet the demand for community living assistance services and to assist them in reorienting their long-term care systems toward HCBS.

Permissible uses of grant funds include:

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[Alternatively, “Grants to Promote Community Living Assistance Services and Supports (CLASS) Workforce” could be inserted in Title I, sec. 3209. See above.]