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Model Bill Highlights The Potential for Home and Community Based Care in Indiana

*** The policy model could help solve Indiana's terrible long term care crisis***

Indiana policy makers continue to resist moving forward with policies and legislation to re-balance the state's long term care system. As a result, more than 28,500 Hoosiers are forced to live in nursing homes due to the lack of home and community based services. When compared to Washington, with a similar population, Indiana has as many as 18,000 people living in nursing home who should be receiving home and community based services through the CHOICE home care program or through a Medicaid waiver....and that is not counting the huge number of people with developmental disabilities that continue to be without services and without hope.

According to Elmer Blankenship, President of The Generations Project Governing Board and President of the Indiana Alliance for Retired Americans, the lack of effective administrative or legislative action by the state is a wrong that is harming Hoosiers now. "The failure of Indiana to re-balance its system of long term care means far too many people are forced to live in horrible circumstances, living with the reality of being forced into poverty and the very real fear of forced institutionalization and/or premature death. That is simply wrong in an advanced and civilized society," states Mr. Blankenship.

The Generations Project has developed a model bill that if adopted as administrative policy, or legislation, or both, could set the stage for re-balancing the state's system of long term care. In 2002, a model bill researched and written by the Project for the Indiana Home Care Task Force, a voluntary alliance of nearly seventy organizations, was later crafted into law by the 2003 General Assembly. That law, SEA 493, established a legal framework for re-balancing the state's long term care system, but it did not mandate a shifting of dollars from Medicaid into home and community based services as a result of the savings that are created whenever HCBS services are used. Instead, the law made the use of those savings for HCBS a "may" provision and, sad to say, state administrations have chosen not to do that.

According to John Cardwell, Director of The Generations Project and Executive Director of United Senior Action, most of the provisions of the 2003 law have simply been ignored by state officials. According to Cardwell, "We hardly talk about SEA 493 these days. It was a great law that provided Indiana the means for re-balancing its long term care system, but the will to implement SEA 493 quickly waned and state officials took advantage of the provision in the act that has allowed them to use any savings created by publicly funded HCBS for other purposes. In other words, Indiana refuses to use the savings created in its Medicaid

nursing home budget whenever a person is placed in home care at a far lower cost instead of being placed in a nursing home. Indiana refuses to let people access home care. We now have 11,000 Hoosiers on waiting lists for home and community based services through the CHOICE program and the Medicaid aged and disabled waiver. That leaves them no option but Medicaid funded nursing home care because care in those institutions remains a legal entitlement while home care in not. That is simply awful public policy. It is literally bankrupting citizens, forcing people into nursing homes against their will, and forces taxpayers to pay hundreds of millions of dollars for inappropriate nursing home care every year. It is a brutal and economic foolish way to run publicly financed long term care services."

The model bill that follows could solve many of the problems that plague Indiana's long term care system, problems that literally put the lives of citizens at risk and all Hoosiers in economic jeopardy.

Will the state administration or the General Assembly act on the opportunity presented in the model bill, or in similar proposals? That is a question being raised by The Generations Project and the many organizations that compose the Indiana Home Care Task Force. But an answer must be found. Indiana is in a fiscal crisis and the state's long term care policies, which seemed designed to rush money into the nursing home industry before the public refuses to feed the golden goose, is no longer financially sustainable.

[Click here to read the model bill.](#)