

114TH CONGRESS  
1ST SESSION

# S. 2338

To award grants to States for the development of innovative long-term services and supports programs.

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IN THE SENATE OF THE UNITED STATES

DECEMBER 1, 2015

Ms. HIRONO introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To award grants to States for the development of innovative long-term services and supports programs.

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 “Living Independently  
5 for Extended Time Act” or the “LIFETIME Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) The number of Americans over age 65 or  
9 living with a disability is growing, and over 70 per-  
10 cent of these individuals will need some form of

1 long-term services and supports, with a majority of  
2 individuals preferring home and community-based  
3 care.

4 (2) This is a major demographic shift and pro-  
5 vides an opportunity for innovative solutions in long-  
6 term services and supports.

7 (3) Developing programs to facilitate high-qual-  
8 ity independent community-based living, create and  
9 improve jobs, and address and improve upon gaps in  
10 existing systems will be essential to providing nec-  
11 essary services and supports to these individuals and  
12 families.

13 (4) It is imperative that Congress act to ad-  
14 dress the looming long-term services and supports  
15 crisis.

16 **SEC. 3. PURPOSE.**

17 It is the purpose of this Act to establish a grant pro-  
18 gram to provide incentives to States for the development  
19 of solutions to the increased need of individuals for long-  
20 term services and supports and to increase State support  
21 and systems in long-term care.

22 **SEC. 4. ESTABLISHMENT OF LONG-TERM SERVICES AND**  
23 **SUPPORTS INNOVATION GRANT PROGRAM.**

24 (a) STATE PLANNING GRANTS.—

1           (1) IN GENERAL.—Not later than 90 days after  
2 the date on which grant announcements are made  
3 under subsection (d), the Secretary of Health and  
4 Human Services (referred to in this Act as the “Sec-  
5 retary”) shall award grants to eligible States to en-  
6 able such States to develop innovative programs to  
7 meet the unique need for long-term services and  
8 supports in the State.

9           (2) ELIGIBILITY.—To be eligible to receive a  
10 grant under paragraph (1), a State shall—

11           (A) submit to the Secretary an application,  
12 at such time, in such manner, and containing  
13 such information as the Secretary may require;

14           (B) demonstrate to the Secretary that the  
15 State will work in conjunction with both public  
16 and private long-term services and supports  
17 stakeholder groups described in paragraph (3)  
18 to develop a coordinated statewide long-term  
19 services and supports program for the State  
20 that is not duplicative of other programs pro-  
21 viding such services and supports in the State;  
22 and

23           (C) provide assurances that the State will,  
24 not later than 1 year after the date on which  
25 the grant is awarded, submit to the Secretary

1 a comprehensive plan for the implementation of  
2 innovative long-term services and supports pro-  
3 gram in the State, which shall include the utili-  
4 zation of existing State or local frameworks.

5 (3) STAKEHOLDER GROUPS.—Stakeholder  
6 groups described in this paragraph shall be groups  
7 that—

8 (A) represent the interests of—

9 (i) consumers of long-term services  
10 and supports and related insurance prod-  
11 ucts, as well as their representatives;

12 (ii) older adults;

13 (iii) individuals with cognitive or func-  
14 tional limitations;

15 (iv) family caregivers for individuals  
16 described in clause (i), (ii), or (iii);

17 (v) the health care workforce who di-  
18 rectly provide long-term services and sup-  
19 ports;

20 (vi) private long-term services and  
21 supports insurance providers;

22 (vii) employers;

23 (viii) State insurance departments;

24 (ix) area agency on aging or State  
25 agency on aging;

1 (x) direct care workforce; and

2 (xi) State Medicaid agencies;

3 (B) have demonstrated experience in deal-  
4 ing with issues related to long-term services and  
5 supports, health care policy, and public and pri-  
6 vate insurance; and

7 (C) represent the health care interests and  
8 needs of a variety of geographic areas and de-  
9 mographic groups.

10 (b) STATE IMPLEMENTATION GRANTS.—

11 (1) IN GENERAL.—The Secretary shall award  
12 grants to eligible States to enable such States to im-  
13 plement the comprehensive plans submitted under  
14 subsection (a)(2)(C) to meet the long-term services  
15 and supports needs of such States.

16 (2) ELIGIBILITY.—To be eligible to receive a  
17 grant under paragraph (1), a State shall—

18 (A) submit to the Secretary an application,  
19 at such time, in such manner, and containing  
20 such information as the Secretary may require;

21 (B) have submitted a comprehensive plan  
22 under subsection (a)(2)(C) that has been ap-  
23 proved by the Secretary or, if the State has not  
24 applied for a grant under subsection (a), submit  
25 a plan (that is similar to the plans required

1 under subsection (a)(2)(C)) to the Secretary for  
2 the implementation of new, or continued oper-  
3 ation of existing, long-term services and sup-  
4 ports activities;

5 (C) provide assurances that the State will  
6 provide long-term services and supports under  
7 the grant to individuals who demonstrate a  
8 need for such services regardless of age;

9 (D) provide assurances that the State will  
10 provide matching funds in accordance with  
11 paragraph (3); and

12 (E) submit to the Secretary progress and  
13 outcomes reports containing uniform data as  
14 determined appropriate by the Secretary.

15 (3) MATCHING REQUIREMENT.—To be eligible  
16 to receive a grant under paragraph (1), a State shall  
17 agree, with respect to the costs to be incurred by the  
18 State in implementing the comprehensive plan under  
19 subsection (a)(2)(C), to make available non-Federal  
20 contributions (in cash or in-kind) toward such costs  
21 in an amount equal to not less than \$1 for each \$4  
22 of Federal funds provided under the grant. Such  
23 contributions may be made directly or through dona-  
24 tions from public or private entities.

1           (4) PREFERENCE.—In awarding grants under  
2 paragraph (1), the Secretary shall give preference to  
3 States that demonstrate—

4           (A) the activities to be carried out under  
5 the grant will enhance access to quality, af-  
6 fordable long-term services and supports for  
7 consumers; and

8           (B) the sustainability and scalability of the  
9 program to be carried out under the grant be-  
10 yond the grant period.

11          (5) LIMITATION.—A State shall not use in ex-  
12 cess of 5 percent of the amount awarded under a  
13 grant under paragraph (1) for the administrative ex-  
14 penses associated with carrying out activities under  
15 the grant.

16          (c) TECHNICAL ASSISTANCE AND OUTCOMES  
17 DATA.—The Secretary may use not to exceed 5 percent  
18 of the amount appropriated for each fiscal year under sub-  
19 section (f) to—

20           (1) provide technical assistance to States in car-  
21 rying out programs under this section; and

22           (2) collect and disseminate data, including from  
23 the reports submitted by the States under subsection  
24 (b)(2)(D), on improvements to long-term services  
25 and supports provided in the States and the effect

1 that grants under this section had on the availability  
2 of such services and supports.

3 (d) GRANT ANNOUNCEMENTS.—Not later than 1  
4 year after the date of enactment of this Act, the Secretary  
5 shall announce the opportunity to apply for the initial se-  
6 ries of grants under this section. Not later than 2 years  
7 after such date, the Secretary shall announce the oppor-  
8 tunity to apply for the remaining grants under this sec-  
9 tion.

10 (e) REPORT.—Not later than 1 year after the date  
11 on which grants are awarded under subsection (b), and  
12 annually thereafter, the Secretary shall submit to Con-  
13 gress a report on the activities carried out under grants  
14 under this section, including a description of improve-  
15 ments to long-term services and supports provided in the  
16 States and the effect that grants under this section had  
17 on the availability of such services and supports.

18 (f) APPROPRIATIONS.—

19 (1) IN GENERAL.—There is authorized to be  
20 appropriated—

21 (A) to award grants under subsection (a),  
22 \$50,000,000, to be used during the first fiscal  
23 year for which such grants are awarded; and

24 (B) to award grants under subsection (b),  
25 \$250,000,000, to be available until expended.



1           (2) ADDITIONAL AMOUNTS.—In addition to  
2           amounts appropriated under paragraph (1)(B) for a  
3           fiscal year, the Secretary may use any amounts ap-  
4           propriated under paragraph (1)(A) and remaining  
5           unexpended after fiscal year 2015 to award grants  
6           under subsection (b).

7           (g) DEFINITION.—In this Act, the term “long-term  
8           services and supports” means the services and supports  
9           described in section 321(a) of the Older Americans Act  
10          of (42 U.S.C. 3030d(a) et seq.).

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