

1 HJR170
2 107081-4
3 By Representatives Ward and McClurkin
4 RFD: Rules
5 First Read: 17-FEB-09

1
2 ENROLLED, House Joint Resolution,
3 ESTABLISHING ALABAMA LIFESPAN RESPITE RESOURCE
4 NETWORK, KNOWN ALSO AS ALABAMA RESPITE, AS THE LEAD ENTITY FOR
5 LIFESPAN RESPITE COORDINATION IN THE STATE OF ALABAMA AND THE
6 DESIGNATED COORDINATOR OF THE ALABAMA RESPITE COALITION.

7
8 WHEREAS, respite is short term temporary relief that
9 can make a world of difference for family caregivers of both
10 children and adults with disabilities and other health care
11 needs; and

12 WHEREAS, respite is one of the home and
13 community-based services most requested by family caregivers,
14 yet remains in short supply; and

15 WHEREAS, by some estimates, over 400,000 adults in
16 Alabama are caregivers for a family member; and

17 WHEREAS, respite helps preserve families by reducing
18 stress, supporting stability, preventing situations that can
19 lead to abuse and neglect, and reducing the incidence of
20 divorce and out-of-home placement; and

21 WHEREAS, respite is a simple, cost-effective
22 solution for situations that can otherwise devastate families;
23 and

24 WHEREAS, a state lifespan respite program simplifies
25 and accelerates the process for accessing respite services and

1 is recognized by service providers, families, and
2 policymakers, in Alabama as well as nationwide, as the best
3 practice in the provision of respite care in the most
4 cost-effective way; and

5 WHEREAS, federal legislation was passed in Congress
6 that would provide a mechanism to fund states that have
7 collaborative systems of lifespan respite provision in place;
8 and

9 WHEREAS, the Alabama Lifespan Respite Resource
10 Network was created to develop the infrastructure for a
11 statewide network of lifespan respite programs in Alabama and
12 be the statewide entity to address issues relating to respite
13 care in our state; now therefore,

14 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
15 HOUSES THEREOF CONCURRING, That the following words shall have
16 the following meanings:

17 (1) ADULT WITH SPECIAL NEED. A person 19 years of
18 age or older who requires care or supervision to meet the
19 person's basic needs or prevent physical self-injury or injury
20 to others, or avoid placement in an institutional facility.

21 (2) AGING AND DISABILITY RESOURCE CENTER. An entity
22 that provides a coordinated system for providing information
23 on long-term care programs and options, personal counseling,
24 and consumer access to publicly support long-term care
25 programs.

1 (3) CHILD WITH SPECIAL NEED. A person under age 19
2 who requires care or supervision beyond that required for
3 children generally to meet the child's basic needs or prevent
4 physical injury to self or others.

5 (4) ELIGIBLE STATE AGENCY. A state agency that
6 administers the Older Americans Act or the state's Medicaid
7 program or one designated by the Governor, and is an aging and
8 disability resource center working in collaboration with a
9 state respite coalition or organization.

10 (5) FAMILY CAREGIVER. Family members, foster
11 parents, or other adults providing ongoing unpaid care for an
12 adult or child with special needs.

13 (6) LIFESPAN RESPITE CARE. Coordinated systems of
14 accessible, community-based respite care services for family
15 caregivers of children or adults with special needs.

16 (7) RESPITE. Planned or emergency care provided to a
17 child or adult with a special need in order to provide
18 temporary relief to the family caregiver of that child or
19 adult.

20 (8) RESPITE PROVIDER. An individual who provides a
21 temporary break or period of relief to family caregivers.

22 (9) SPECIAL NEED. A disability or chronic illness as
23 defined in Public Law 109-442.

1 (10) STAKEHOLDER. A person, group, organization, or
2 system that affects or can be affected by an organization's
3 actions.

4 BE IT FURTHER RESOLVED, That we hereby establish
5 Alabama Lifespan Respite Resource Network as the statewide
6 entity that shall do the following:

7 (1) Address issues relating to respite care in our
8 state.

9 (2) Maintain a statewide system that facilitates the
10 availability and use of high quality, cost-effective lifespan
11 respite services that provide caregivers the break they need
12 from caring for a loved one with disability or chronic
13 illness.

14 (3) Develop and coordinate the Alabama Respite
15 Coalition.

16 (4) Work in collaboration with the eligible state
17 agency and the Governor's Office to access funding through the
18 federal Lifespan Respite Care Act of 2006 (PL109-442).

19 (5) Identify statewide respite care providers.

20 (6) Maintain a directory of respite services in
21 Alabama and link family caregivers with respite care providers
22 and other types of respite-related programs.

23 (7) Provide technical assistance to community-based
24 organizations and other entities that wish to develop a
25 respite care program.

1 (8) Provide voucher respite funding to eligible
2 primary caregivers as funds are available.

3 (9) Provide information and referral services.

4 (10) Provide an easy to access and/or interactive
5 information avenue, such as a toll-free number or
6 informational website like www.alabamarespite.org, to share
7 current news about respite including new resources, training
8 opportunities, and information for caregivers.

9 (11) Offer family caregiver training through
10 partnership with other agencies or other organizations or
11 advocacy groups.

12 BE IT FURTHER RESOLVED, That there is established
13 the Alabama Respite Coalition composed of members who shall be
14 culturally, economically, and geographically diverse and
15 representative of the state demographics and appointed by the
16 Governor or his or her designee. The membership may include
17 but is not limited to the following:

18 (1) A member from the Alabama House of
19 Representatives.

20 (2) A member from the Alabama Senate.

21 (3) A member from the Governor's Office on
22 Disability.

23 (4) A member from the Department of Senior Services.

24 (5) A member from the Department of Medicaid.

1 (6) A member from the Department of Rehabilitation
2 Services.

3 (7) A member from the Department of Human Resources.

4 (8) A member from the Alabama Health Department.

5 (9) A member from the Department of Child Abuse and
6 Neglect Prevention.

7 (10) A member from the Department of Mental Health
8 and Mental Retardation.

9 (11) A member from the Alabama Council for
10 Developmental Disabilities.

11 (12) A representative from a United Cerebral Palsy
12 affiliate in Alabama.

13 (13) A representative from a statewide advocacy or
14 support group.

15 (14) A representative from a community respite
16 initiative or program.

17 (15) A representative from a collaborative training
18 partner.

19 (16) Two family caregivers representing diverse
20 special needs populations.

21 (17) Two respite care providers.

22 (18) A representative from the Autism Society of
23 Alabama.

24 (19) A representative from the Alabama Hospice
25 Organization.

1 BE IT FURTHER RESOLVED, That members of the
2 coalition shall meet at least twice a year, and at such other
3 times as the chair of the coalition deems appropriate. Members
4 shall serve without compensation. A chair of the coalition
5 shall be elected by the membership at the first meeting of the
6 coalition. Members shall be appointed for three-year terms and
7 may be eligible to succeed themselves for one additional term.
8 Members shall be appointed to the coalition within 30 days of
9 the effective date of this resolution. Any member who fails to
10 attend three consecutive meetings or at least one-half of all
11 coalition meetings held during the calendar year shall be
12 deemed to have resigned. Vacant positions shall be filled for
13 any expired term by the respective appointing authorities.

14 BE IT FURTHER RESOLVED, That the coalition shall
15 have the following responsibilities:

16 (1) Build partnerships and coordinate respite care
17 efforts statewide, and prepare Alabama to compete for federal
18 funding when the Lifespan Respite Act is funded.

19 (2) Provide public awareness about respite to the
20 citizens of Alabama.

21 (3) Identify, coordinate, and develop
22 community/funding resources for respite services.

23 (4) Build local partnerships and collaborations
24 regarding respite services.

1 BE IT FURTHER RESOLVED, That Alabama Lifespan
2 Respite Resource Network shall be designated as the entity to
3 facilitate a minimum of two meetings per year for the Alabama
4 Respite Coalition and to coordinate activities and initiatives
5 of the coalition and that the Alabama Lifespan Respite
6 Coalition shall be the statewide respite coalition referred to
7 in the Federal Lifespan Respite Care Act of 2006 (PL109-442).
8 Alabama Respite will work in coordination with the eligible
9 state agency, as mandated by the act, to develop a Memorandum
10 of Agreement with the eligible state agency in order to allow
11 Alabama to compete for federal funding.

12 BE IT FURTHER RESOLVED, That should funding be
13 obtained through the act, the coalition will support Alabama
14 Respite's efforts to actively develop and continue
15 respite-related services with funds utilized for the following
16 mandated purposes:

17 (1) Development or enhancement of lifespan respite
18 programs at state and local levels.

19 (2) Direct respite care services for family
20 caregivers caring for children or adults.

21 (3) Respite worker and volunteer training and
22 recruitment.

23 (4) Provision of information to caregivers about
24 available respite services.

1 (5) Assistance to caregivers in gaining access to
2 such services.

3 Optional uses of the funds may include:

4 (1) Training programs for Alabama's family
5 caregivers to assist them in making informed decisions about
6 respite care services.

7 (2) Other services essential to the provision of
8 respite care as specified in the proposal process.

9 (3) Training and education for new caregivers.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was adopted by the House 05-MAR-09.

Greg Pappas
Clerk

Senate	31-MAR-09	Amended and Passed
House	02-APR-09	Concurred in Senate Amendment