

**Section by Section Summary of Lifespan Respite Care Act (PL 109-442)**

<p><b>Section 2. Lifespan Respite Care</b></p>	<p>Public Health Service Act is amended by adding at the end the following:</p>
<p><b>Section 2901. Definitions</b></p>	<p>† <b>Lifespan respite care:</b> Coordinated systems of accessible, community-based respite care services for family caregivers of children or adults with special needs</p> <p>† <b>Family Caregiver:</b> Family members, foster parents, or other adults providing ongoing unpaid care for an adult or child with a special need</p> <p>† <b>Adult with special need:</b> A person 18 years of age or older who requires care or supervision to meet the person’s basic needs or prevent physical self-injury or injury to others, or avoid placement in an institutional facility</p> <p>† <b>Child with special need:</b> A person under age 18 who requires care or supervision beyond that required for children generally to meet the child’s basic needs or prevent physical injury to self or others.</p> <p>† <b>Respite:</b> Planned or emergency care provided to a child or adult with a special need in order to provide temporary relief to the family caregiver of that child or adult.</p> <p>† <b>Aging and Disability Resource Center:</b> An entity that provides a coordinated system for providing information on long-term care programs and options, personal counseling, and consumer access to publicly support long term care programs</p> <p>† <b>Eligible State Agency:</b> A State agency that administers the Older Americans Act or the state’s Medicaid program or one designated by the Governor, and is an aging and disability resource center working in collaboration with a state respite coalition on organization</p>
<p><b>Section 2902. Grants and Cooperative Agreements</b></p>	
<p><i>Purposes:</i></p>	<p>★ to expand and enhance respite care services;</p> <p>† to improve statewide dissemination and coordination of respite care;</p> <p>★ to provide, supplement, or improve access and quality of respite care services.</p>
<p><i>Federal Lifespan Approach</i></p>	<p>★ The Secretary of Health and Human Services is required to work in cooperation with the National Family Caregiver Support Program Officer of the Administration on Aging, and other respite care program officers within the Department to ensure coordination of respite for family caregivers of children and adults with special needs.</p>
<p><i>Application</i></p>	<p>Each Governor submits an application with the following descriptions of: the eligible state agency; family caregivers to be served and eligibility criteria; existing respite services; methods to coordinate respite services and information; training programs; plan for administration, collaboration and coordination with other related services; how family caregivers and others will participate in planning and implementation; how maximization of other federal, state and local funds, programs, and other resources will be made; unmet needs; quality and safety monitoring procedures; expected results and evaluation plans.</p>
<p><i>Assurances</i></p>	<p>Assurances will be provided that confidentiality will be maintained.</p>

	Memorandum of agreement between ADRCs and state respite coalition required.
<b>Priority in Awarding State Grants</b>	Secretary shall give priority to applicants that show the greatest likelihood of implementing or enhancing lifespan respite care statewide; and to applicants that are building or enhancing the capacity of their long-term care systems.
<b>Mandated Use of Funds</b>	<ul style="list-style-type: none"> <li>1 development or enhancement of lifespan respite programs at the state and local levels;</li> <li>1 respite care services for family caregivers caring for children or adults;</li> <li>1 respite worker and volunteer training and recruitment;</li> <li>1 provision of information to caregivers about available respite services; and</li> <li>1 assisting caregivers in gaining access to such services.</li> </ul>
<b>Optional Use of Funds</b>	<ul style="list-style-type: none"> <li>1 training programs for family caregivers to assist them in making informed decisions about respite care services;</li> <li>1 other services essential to the provision of respite care as the Secretary may specify; or</li> <li>1 training and education for new caregivers</li> </ul>
<b>Subcontracts</b>	Each eligible recipient that is awarded a grant or cooperative agreement under this section may use the funds to subcontract with a public or private entity to carry out the mandatory and optional services described above.
<b>Matching Funds</b>	Eligible state agency must agree to provide a match of 25% in non-Federal contribution. Match funds may be in cash or in kind, including plant, equipment or services.
<b>Maintenance of Effort</b>	Funds must be used to supplement, not supplant other Federal, state, and local funds available for respite
<b>Section 2903. National Resource Center on Lifespan Respite</b>	Directs the Secretary to award a grant or cooperative agreement to a public or private nonprofit entity to establish a National Resource Center on Lifespan Respite Care to maintain a national database on lifespan respite care; provide training and technical assistance; provide information, referral and education programs to the public on lifespan respite care.
<b>Section 2904. Report</b>	Requires the Secretary to report to Congress not later than January 2009 on the number of states that have Lifespan Respite Care Programs; the demographics of the caregivers receiving respite care services through grants under the Title; and the effectiveness of entities receiving grants or cooperative agreements.
<b>Section 2905. Authorization of Appropriations</b>	\$30 million for FY 07, \$40 million for FY 08, \$53.33 million for FY 09, \$71.11 for FY 2010, and \$94.8 for FY 2011.
<b>Sec. 3. GAO Report</b>	Not later than January 2011, GAO shall conduct an evaluation and submit report to Congress on the effectiveness of lifespan respite programs, including an analysis of cost benefits and improved efficiency.

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