

# **The Home Care Consumer Bill of Rights Act**

## **Senator Franken**

By 2030, the number of Americans over the age of 65 will exceed 71 million. Of these Americans, almost seven in 10 will need long-term care services in their lives. It's well-known that seniors would prefer to receive services in their homes and communities and that these services are a cost-effective alternative to nursing home care. However, while nursing home residents are guaranteed certain rights and protections from elder abuse, seniors who receive services in their homes and communities are often left without a place to turn if they feel unsafe or have problems with their services. Senator Franken's bill would ensure that seniors who receive home and community-based services are guaranteed basic rights and are protected from abuse and neglect.

### **Section I: Home Care Consumer Bill of Rights**

Senator Franken's bill directs states to develop a Home Care Consumer Bill of Rights to protect seniors who receive services in their homes and communities. States will have the flexibility to establish their own bills of rights as long as the rights address consumer safety, consumer access to information, consumer choice, consumer dignity, and a consumer's ability to redress grievances. States must also develop plans to enforce their bills of rights.

### **Section II: Home Care Ombudsman Program**

The Older Americans Act authorizes states to operate a Long-Term Care Ombudsman Program to resolve complaints of residents of long-term care facilities. Several states have expanded their mission to serve seniors who receive home and community-based services, yet do not receive any federal funding for these activities. Senator Franken's bill builds on state initiative by establishing a voluntary Home Care Ombudsman Program to support states that choose to provide ombudsman services to seniors who receive home and community-based services.

### **Section III: Quality Assurance for Home and Community-Based Services**

Choosing the right long-term care services and service providers is an important decision for seniors and their families, yet the information needed to make the best decisions possible isn't always available. Senator Franken's bill calls for the identification of quality assurance standards – such as whether home and community-based service providers have received background checks or have been certified to provide certain services – and charges the Administration on Aging with developing consumer-friendly methods to let consumers know which services and providers meet these standards. The Administration on Aging is also charged with working with Area Agencies on Aging and Aging and Disability Resource Centers to help them incorporate the quality assurance standards into their informational resources so that consumers know which services are high-quality.

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