



August 2023

In late July, the [Biden Administration](#) issued proposed rules on mental and physical health parity requirements. The proposed rule is intended to bolster mental health parity laws and improve patients' access to providers including by offering clear guidance on how insurers should evaluate whether their plans comply with the law. This includes behavioral health services.

On July 31, the Biden Administration announced a [Medicare Dementia Care Model](#) to enhance care coordination and increase support for caregivers.

On July 13, the Center for Medicare & Medicaid Services (CMS) proposed policies to [expand behavioral health access](#) by providing coverage for intensive outpatient services, which represents an intermediate level of behavioral health care. CMS is requesting input on potential payment adjustments to hospitals for additional expenses incurred in establishing and maintaining a buffer stock of essential medicines.

On July 20, CMS [approved requests](#) from California and Kentucky to provide essential behavioral health services through community-based mobile crisis intervention teams.

Appropriations for FY 2024

The House Labor- Health and Human Services Subcommittee passed its [FY 2024 funding bill](#) on July 14. While specific line-item numbers are not yet available, indications are that the Administration for Community Living will endure a small reduction in its budget of close to \$20 million. The House bill kept funding at FY 2022 levels. In the bill, the Senior Community Service Employment Program (SCSEP) was eliminated. The bill next goes to the full House Appropriations Committee.

On Thursday July 27, the Senate Appropriations Committee passed its [FY 2024 spending bill](#) for the Departments of Health and Human Services and Labor. It is the first funding bill for Labor HHS since the debt ceiling agreement was adopted. The Senate bill kept funding at FY 2023 levels. The bill next moves to the full Senate when it returns in September.

Program	FY23 Final	FY24 Biden	FY24 House	FY24 Senate
Older Americans Act Programs				
Title III-B Home and Community-Based Services	\$410 million	\$500 million		\$410 million
Title III-C Nutrition Total	\$1.066 billion	\$1.284 billion		\$1.058 billion
III-C-1 Congregate Meals	\$540 million	\$762 million		\$565.342 million
III-C-2 Home-Delivered Meals	\$366 million	\$410 million		\$381.342 million
III-C Nutrition Services Incentive Program (NSIP)	\$160 million	\$112 million		\$112 million
Title III-D Preventive Health	\$26.3 million	\$26.3 million		
Title III-E Family Caregiver Support Program	\$205 million	\$249.9 million		\$210 million
Title V Senior Community Service Employment Program (SCSEP)	\$405 million	\$405 million	\$0- program eliminated	\$405 million
Title VI Native Americans Nutrition/Supportive Services	\$38.2 million	\$70.2 million		\$38.264 million
Title VI Native Americans Caregiver Program	\$12 million	\$15.8 million		\$12 million
Title VII Long-Term Care Ombudsman	\$21.8 million	\$27 million		\$26.658 million
Title VII Elder Rights Support Activities Total	\$33.9 million	\$77 million		\$33.874 million

Contact Us

We welcome your feedback!

Please share questions, suggestions or concerns.

Benjamin Rose Institute on Aging
11890 Fairhill Road,
Cleveland, OH 44120

216.791.8000 | info@benrose.org

Sign up for the email version
of this newsletter at

www.benrose.org/advocacy



Senior Nutrition Bills

On July 17, Senator Robert Casey (D-PA) introduced two bills ([S.2360](#) and [S.2361](#)) related to senior nutrition. The Tools for Ensuring Access to Meals (TEAM) Act ([S.2360](#)) establishes an interagency collaborative and innovative pilot program to address hunger and access to health food for older adults. The Senior Nutrition Task Force Act of 2023 ([S.2361](#)) establishes an interagency task force to address hunger and promote access to healthy food among older adults and adults with disabilities.

On July 17, Representative Ryan Fitzpatrick (R-PA) introduced a Senior Nutrition Task Force bill ([H.R.4706](#)) to establish an interagency task force that would address hunger and promote access to healthy food for older adults and adults with disabilities. The bill has Representative Jasmine Crockett (D-TX) as a cosponsor.

Elder Justice Bill

Senators Marco Rubio (R-FL) and Jacky Rosen (D-NV) reintroduced the Promote Responsible Oversight and Targeted Employee Background Check Transparency for Seniors (PROTECTS) Act ([S.2429](#)). This bill seeks to promote responsible oversight in employee background checks for organizations that serve senior citizens, like nursing homes or home health

Social Work Bill

In late July, a new bipartisan legislation “Integrating Social Workers Across Health Care Settings Act” ([H.R. 4638](#)) was introduced. It would amend the current law’s definition of clinical social worker services to allow them to bill under Medicare for services they provide under their state scope of practice. More information can be found from the Center for Health and Social Care Integration at Rush University CHaSCI@rush.edu.

Looking Ahead

During August, Congress will enter a recess period. As a result, the appropriation bills and the farm bill will be on hold until after then. The government has until [September 30th](#) to enact spending measures or it could risk a government shutdown.

Statehouse Update—Ohio

Governor DeWine signed Ohio’s [Fiscal Year 2024-2025 operating budget bill](#) into law on July 4. HB33, the “budget bill” included increases in funding for programs and services for older adults. This includes additional funding for behavioral health services, increases in rates for home and community-based services and enhancement of quality incentives for long-term care skilled nursing facilities (see below). Increases in provider rates are intended to provide wage increases for the direct care workforce.

The **Ohio Governor’s Nursing Home Quality & Accountability Task Force** recently released its **Recommendations Report**. The report includes actionable recommendations designed to effect substantive improvements in the quality of care and quality of life in every Ohio nursing home. The recommendations aim to address issues currently being faced by residents, employees, and families while also looking to improve the future of nursing home care in the state. The report, which is available [online](#), incorporates input gathered at listening session across the state earlier this year, as well as professional testimony and online comments from persons unable to attend the sessions in person. The report identifies four pillars of the “North Star for Ohio’s nursing home care: Quality of Life, Quality of Care, Resident Rights, and System Performance.” Priorities and recommendations in the plan are reflected in the state budget signed by Governor DeWine.