

- SUBJECT:** Creating a volunteer advocate program for certain elderly individuals
- COMMITTEE:** Human Services — committee substitute recommended
- VOTE:** 8 ayes — Rose, Herrero, Darby, Elkins, Hughes, Legler, Naishtat, Walle  
0 nays  
1 absent — Hernandez
- WITNESSES:** For — Jim Hine; Linda Litzinger; (*Registered, but did not testify:* Tim Graves, Texas Health Care Association; Rachel Hammon, Texas Association for Home Care; Karen Johnson, United Ways of Texas; Katy Kappel, Texas Silver-Haired Legislature; Susan Murphree, Advocacy, Inc.; David Thomason, Texas Senior Advocacy Coalition; Laurie Vanhose, AARP)  
  
Against — None
- BACKGROUND:** Government Code, ch. 531 establishes the Health and Human Services Commission (HHSC) and outlines the duties and functions of the agency.  
  
Court-Appointed Special Advocates (CASAs) are volunteer advocates for abused and neglected children who work through the foster care system and court system with a child until the child finds a permanent, safe home.
- DIGEST:** CSHB 4154 would amend Government Code, ch. 531 by adding sections 531.057 and 531.071 to require the executive commissioner of HHSC to create the Volunteer Advocate Program Advisory Committee. The committee would advise the commissioner on the development of a volunteer advocate program for the elderly, also created by the bill.  
  
The advisory committee would be composed of members appointed by the executive commissioner and would include:
- a representative of the Department of Aging and Disability Services (DADS);
  - a representative of the Department of Assistive and Rehabilitative Services (DARS);

- a representative of the Department of State Health Services (DSHS);
- a representative of the Texas Silver-Haired Legislature;
- a representative of an area agency on aging;
- a representative of United Ways of Texas;
- a home health provider;
- an assisted living provider;
- a nursing home provider;
- a representative of Texas CASA;
- a licensed gerontologist; and
- a representative of AARP.

The committee would advise the executive commissioner on issues such as program design and selection, volunteer advocate training curriculum, the selection of any pilot sites, evaluation of any pilot projects operated under the program, or other issues requested by the executive commissioner. The advisory committee would submit a report detailing the committee's activities, findings and recommendations, no later than December 1, 2010, to the governor and various legislative leaders.

A committee member would serve without compensation but would be entitled to a per diem allowance while performing committee duties and reimbursement for travel expenses incurred at the same rate as state employees. Expenses would be paid from existing appropriations to HHSC but could not exceed \$50,000. HHSC would provide the advisory committee with any necessary staff support.

The HHSC executive commissioner would coordinate with the committee to develop the volunteer advocate program for those elderly individuals receiving services from or under the direction of HHSC.

The intent of the program would be to evaluate whether providing the services of a trained volunteer advocate selected by an elderly individual or the individual's designated caregiver was effective in:

- extending the time the elderly individual could remain in an appropriate home setting;
- maximizing the efficiency of services delivered to the elderly individual by focusing on services needed to sustain family caregiving;

- protecting the elderly individual by providing a knowledgeable third party to review the quality of care and services delivered to the individual and the care options available to the individual and family; and
- facilitating communication between the elderly individual or the individual's designated caregiver, health care providers, and other services;

In addition to the intent of the program, the executive commissioner and the advisory committee would adhere to the following principles:

- a volunteer advocate curriculum would be established that incorporated best practices in the elder health care field;
- the use of volunteer assistance from qualified professionals would be maximized in developing curriculum and designing the program;
- a volunteer advocate curriculum would be established that incorporated best practices;
- trainers would be certified on the ability to deliver training;
- training would be offered through multiple community-based organizations; and
- program participation would be voluntary and would be initiated by the elderly individual or the individual's designated caregiver.

The executive commissioner could enter into agreements with nonprofit organizations to provide program services. An eligible nonprofit would have significant experience in providing services to elderly individuals, would have the capacity to provide training and supervision for individuals interested in serving as advocates, and would meet any other criteria established by the executive commissioner. HHSC would fund the program through existing agency appropriations, but could accept gifts, grants, or donations from any public or private source to carry out the design of the program, develop training curriculum and criteria for evaluation, and conduct training for volunteer advocates.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2009.

SUPPORTERS  
SAY:

CSHB 4154 would establish volunteer opportunities for Texans to serve as advocates for elderly Texans through the Seniors Advocates Volunteering for the Elderly (SAVE) program. Demographic trends show a growing

elderly population that will continue to increase as members of the baby boom generation, who are now caring for their elderly parents, become the ones needing care. The baby boom generation as a group has fewer adult children to depend upon than previous generations, so with baby boomers aging, the number of caregivers will decrease, while the number of individuals needing care will increase. Some individuals will have family members to care for them and help them to navigate the myriad services offered through state and federal programs and nonprofit organizations. Others will not have anyone to assist them, greatly increasing the likelihood of institutional care.

The bill would establish a volunteer advocacy program for the elderly, similar to CASA for children. Texas CASA was established in 1993 to provide volunteer advocates for abused and neglected children. Texas CASA has flourished and now operates statewide with 68 local CASA programs advocating in 203 jurisdictions for foster children. They raise public awareness of child abuse and recruit and train volunteers to help carry out this vital work. Today, one out of every two foster children has a CASA.

The bill would establish an advisory committee, bringing together members from the public and private sectors with expertise in serving the elderly to develop the SAVE program, following the CASA model. Initial costs of the program would be related primarily to the development of the training curriculum and the actual training of advocates. The LBB issued a fiscal note on April 23 with a cost of \$479,147 for each year in the next biennium under the assumption that HHSC full-time employees (FTEs) would be employed at the three pilot volunteer sites. However, upon clarification that volunteers would carry out the bill's provisions at the three sites, the LBB on April 30 revised the fiscal note to anticipate no significant fiscal impact to the state.

CSHB 4154, in establishing the SAVE program, would extend the time older Texans could remain in a home setting by maximizing the efficiency of services they received, with the aid of a trained, SAVE advocate.

OPPONENTS  
SAY:

No apparent opposition.