

Information on the CLASS Act Program

Hello Unexpected Caregiver Listeners:

As you know, the Senate is currently deciding which provisions will remain in their final health reform legislation. Here are three things we need you to do in the next three days.

1. **CALL (800) 958-5374 between 8:30 a.m. and 6 p.m. Eastern** and tell your Senators to support CLASS. Below is a sample phone script you can circulate:

Sample Phone Script:

Hello. I am calling to ask Senator _____ to make sure the CLASS Act remains in the final health reform legislation. People need help accessing the long-term services and supports that help them remain independent and at home. The CLASS Act is an affordable, accessible and fiscally solvent way to provide these services and reduce Medicaid costs at the same time. Can we count on Senator _____ for his/her support?

2. **Make the Most of Your Networks:** Please contact your friends and colleagues who may know their Senators and staff, or who have care giving responsibilities and share our values around CLASS and urge them to contact their Senators. Of course feel free to share our sample phone script and the attached Q&A. This is the time for you to mobilize your contacts!
3. **Let Me Know What You Hear:** Please contact me with any questions or concerns you or your members hear from Senate offices. The information you share is crucial to our success.

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The Long-Term Care Solution



The CLASS Act

The CLASS program is a voluntary insurance program that is similar in design to Social Security and Medicare. An individual pays a premium into an account via a payroll deduction, and receives a cash benefit to pay for supports and services that will enable him or her to remain independent in the community. Eligibility is determined by the number of activities of daily living (ADLs) with which an individual needs assistance or the level of an individual's cognitive impairment. Eligibility also requires a five-year vesting period for premiums.

Enrollment

The Community Living Assistance Services and Supports (CLASS) Act is a voluntary program in which an individual is automatically enrolled through the individual's employer. The individual, or the employer, can choose to opt-out of the program. Premiums are paid via a payroll deduction. Premiums will not increase over time unless the fund is in danger of becoming insolvent.

Eligibility

To be eligible, an individual must have: 5 years (60 months) of paid premiums; paid premiums for 24 consecutive months out of the 60 months required for eligibility; be disabled for 90 days or more; be unable to perform minimum number (2 or 3) ADLs; or need "substantial supervision" for cognitive impairment. Individuals in a long-term care facility (nursing facility, ICF/MR, etc.) who are in the process of discharge or planning a discharge are presumed to be eligible.

CLASS Program Benefits

The CLASS program provides a \$50/day cash benefit for beneficiaries. The benefit amount is scaled to functional ability and can be paid on a daily or weekly basis. There is no lifetime benefit limit.

The cash benefit is designed to be used for nonmedical services and supports to allow an individual to remain independent in her/his own home or residential setting. These services and supports include (but are not limited to) home modifications, assistive technology, accessible transportation, home-maker services, respite care, personal assistance services, home care aides, and nursing support and can include family caregiving. The benefit can also be used for obtaining help such as health care decision-making assistance or making a living will.

Oversight

CLASS Independence Fund

The CLASS Independence Fund is created to hold the premiums for CLASS beneficiaries. The Fund is to be housed in the Treasury Department, and invested and managed like the Medicare Trust Fund. A Board of Trustees will oversee the Fund. Congress will receive an annual report on the status of the Fund and the Board is to

immediately report to Congress problems with actuarial soundness. Unpaid and recouped benefit dollars go back into the Fund.

CLASS Independence Advisory Council

The CLASS Independence Advisory Council is created to advise the Secretary of HHS on CLASS policy, as well as the determination of the benefit plan and the monthly premiums in the plan. The Council will be made up of 15 Presidential appointees, a majority of whom are current or likely CLASS beneficiaries, and include workers, individuals with disabilities, family caregivers, LTC or disability insurance experts, economists, actuarial science experts, and others as determined relevant. Appointees will have three-year terms and be limited to two consecutive terms.

Reports to Congress

Beginning 1/1/2014, the Health and Human Services Secretary will issue an annual report to Congress on the CLASS program to include total number of enrollees, total number eligible beneficiaries during fiscal year, total amount paid out during fiscal year, description of identified fraud or abuse, recommendations to improve program or prevent occurrence of fraud or abuse.

The HHS Inspector General will issue an annual report to Congress and the HHS Secretary including findings in eligibility determination process, provision of cash benefits, quality assurance and protection, recouping of unpaid and accrued benefits.

Current Status (as of Nov. 30)

The CLASS Act is included in the House of Representative's Affordable Health Care for America Act. This legislation passed the House on November 7th.

The CLASS Act is also included in the Senate's health care reform bill, called the Patient Protection and Affordable Care Act. A vote on this legislation is expected the week of Nov. 30th.

For more information, please visit <http://www.thelongtermcaresolution.org/>

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