

Introduced by Senator JacksonFebruary 13, 2019

An act to add Section 18941.11 to the Health and Safety Code, and to repeal Article 2 (commencing with Section 9115) of Chapter 2 of, to repeal Chapter 4.5 (commencing with Section 9450) of, and to repeal and add Article 3 (commencing with Section 9675) of Chapter 10.5 of, Division 8.5 of the Welfare and Institutions Code, relating to older adults.

LEGISLATIVE COUNSEL'S DIGEST

SB 280, as introduced, Jackson. Older adults and persons with disabilities: fall prevention.

(1) Existing law, the Mello-Granlund Older Californians Act, finds and declares that one in 3 Americans over 65 years of age suffers a fall each year, often in the home, which can cause serious injury and depression. The act establishes the California Department of Aging, and sets forth its duties and powers, including, among other things, entering into a contract for the development of information and materials to educate Californians on the concept of "aging in place" and the benefits of home modification.

Existing law also establishes the Senior Housing Information and Support Center within the department for the purpose of providing information and training relating to available innovative resources and senior services, and housing options and home modification alternatives designed to support independent living or living with family.

This bill would repeal those provisions relating to the department's provision of information on housing and home modifications for seniors.

Existing law establishes the Program for Injury Prevention in the Home Environment, under which the department, through the Senior

Housing and Information Support Center, is required to award grants to eligible local level entities for injury prevention information and educational programs and services.

This bill would repeal those provisions and would instead establish the Dignity at Home and Fall Prevention Program, which would require the department to provide grants to area agencies on aging for injury prevention information, education, and services for the purpose of enabling older adults and persons with disabilities to live independently in the home environment for as long as possible, as specified. The bill would require the department, in consultation with specified experts knowledgeable in injury prevention for older adults and persons with disabilities, to develop a grant application process, specific performance measures on which grant recipients would be required to report, and training materials for the implementation of these provisions. The bill would require the application process to include the submission of a plan that includes, among other things, the projected number of clients to be served and the array of services to be provided. The bill would provide that funding of these grants is subject to the appropriation of funds by the Legislature in the Budget Act or another statute.

(2) Existing law, the California Building Standards Law, provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption. Existing law requires the commission to publish, or cause to be published, editions of the code in its entirety once every 3 years. Existing law, the State Housing Law, requires the Department of Housing and Community Development to propose the adoption, amendment, or repeal of building standards to the California Building Standards Commission.

This bill would, at the next triennial building standards rulemaking cycle that commences on or after January 1, 2020, require the Department of Housing and Community Development to develop and propose for adoption by the California Building Standards Commission building standards requiring fall prevention structural features in single and multifamily dwellings to prevent falls and to facilitate aging in place, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) According to the Public Policy Institute of California, by
4 2030, the California population of persons 65 years of age and
5 older will increase by more than four million.

6 (b) Most elders prefer to remain in their own homes as long as
7 possible, but many are forced into skilled nursing, assisted living,
8 or other congregate living options because their homes are no
9 longer physically safe for them to live in.

10 (c) Falls are the leading cause of both fatal and nonfatal injuries
11 for Californians 65 years of age and older.

12 (d) In 2014, there were 208,564 Californians 65 years of age
13 and older treated in emergency departments for fall-related injuries
14 and 74,954 were hospitalized as a result of an unintentional fall
15 injury.

16 (e) In 2013, 1,733 Californians died as a result of a fall injury.

17 (f) The behavioral risk factor surveillance system survey states
18 that 30.7 percent of older californians reported falling in the
19 previous 12 months.

20 (g) Of those adults 65 years of age and older who are
21 hospitalized for a hip fracture, 40 percent never return home or
22 live independently again, and 25 percent will die within one year.

23 (h) In 2015, according to a 2016 analysis published in the journal
24 of safety research, fatal falls cost an average of \$26,340, while
25 nonfatal falls cost an average of \$9,780.

26 (i) By 2020, the annual direct and indirect cost of fall injuries
27 is expected to reach \$54.9 million.

28 (j) Many of those fall patients will use Medicare, Medicaid, or
29 both, to pay their medical expenses, including the charges for
30 skilled nursing or rehabilitation facilities, costing the federal and
31 state governments large amounts of money.

32 (k) The United States Centers for Disease Control and
33 Prevention states that there are proven interventions that can reduce
34 falls and help older adults live better and longer.

35 (l) The Centers for Medicare and Medicaid Services'
36 evidence-based review of multifactorial fall preventions programs
37 concluded that the incidence of falls was reduced by a minimum

1 of 11 percent with a potential of a 23-percent reduction when falls
2 prevention strategies are implemented.

3 (m) A University of California, Los Angeles health policy
4 research brief from May 2010 reports that guidelines published
5 by the American Geriatrics Society includes home modification
6 as one of the strategies to reduce falls.

7 (n) In many cases, the retrofit of homes to add fall prevention
8 features to an existing house can be quite expensive and beyond
9 the means of senior residents.

10 SEC. 2. Section 18941.11 is added to the Health and Safety
11 Code, to read:

12 18941.11. At the next triennial building standards rulemaking
13 cycle that commences on or after January 1, 2020, the Department
14 of Housing and Community Development shall develop and
15 propose for adoption by the commission building standards
16 requiring fall prevention structural features in single and
17 multifamily dwellings to prevent falls and to facilitate aging in
18 place, including, but not limited to, one ground-level entry, wide
19 interior doors, adequate space in bathrooms and kitchens for
20 maneuverability, blocking in bathrooms to allow future grab bar
21 installation, reachable electrical controls, and a step-free path
22 through the entire ground floor.

23 SEC. 3. Article 2 (commencing with Section 9115) of Chapter
24 2 of Division 8.5 of the Welfare and Institutions Code is repealed.

25 SEC. 4. Chapter 4.5 (commencing with Section 9450) of
26 Division 8.5 of the Welfare and Institutions Code is repealed.

27 SEC. 5. Article 3 (commencing with Section 9675) of Chapter
28 10.5 of Division 8.5 of the Welfare and Institutions Code is
29 repealed.

30 SEC. 6. Article 3 (commencing with Section 9675) is added
31 to Chapter 10.5 of Division 8.5 of the Welfare and Institutions
32 Code, to read:

33

34 Article 3. Dignity at Home and Fall Prevention Act

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36 9675. This article shall be known and may be cited as the
37 Dignity at Home and Fall Prevention Act.

38 9676. The Dignity at Home and Fall Prevention Program is
39 hereby established. Under the program, the department shall
40 provide grants to area agencies on aging for injury prevention

1 information, education, and services pursuant to this article for the
2 purpose of enabling older adults and persons with disabilities to
3 live independently in the home environment for as long as possible.

4 9677. (a) A participating area agency on aging with grant
5 funds provided pursuant to this article shall provide all of the
6 following:

7 (1) Information and education on injury prevention to older
8 adults and persons with disabilities living in the community.

9 (2) Referral-related resources and services in the community.

10 (3) Home environmental assessments and assessments of
11 individual injury prevention needs, including instruction on
12 behavioral, physical, and environmental aspects of injury
13 prevention.

14 (b) In carrying out the responsibilities of a grant provided
15 pursuant to this article, a participating area agency on aging shall
16 partner with local public and private nonprofit agencies that are
17 experienced in injury prevention services, including, but not limited
18 to, medical providers and hospital systems, fire departments,
19 independent living centers, and home modification providers.

20 9678. (a) The Dignity at Home and Fall Prevention Program
21 shall include funding for injury prevention needs, including injury
22 prevention equipment, services, materials, and labor costs for
23 homeowners and renters meeting income requirements established
24 pursuant to subdivision (c). A participating area agency on aging
25 shall comply with all of the requirements of this section in
26 implementing the program.

27 (b) Equipment and services covered under the program shall
28 include, but not be limited to, all of the following:

29 (1) Grab bars, nonskid surfaces, toilet seat risers, shower seats,
30 and transfer benches.

31 (2) Indoor and outdoor handrails and threshold modifications.

32 (3) Reconfiguration of furniture and other elements of the
33 physical home environment to reduce hazards.

34 (4) Wearable medical alert devices.

35 (c) Eligibility for equipment and services, as described in this
36 section, shall be limited to older adults and persons with disabilities
37 who meet both of the following requirements:

38 (1) The older adult or person with a disability has an adjusted
39 household income that does not exceed 80 percent of the area
40 median income.

1 (2) The older adult or person with a disability has fallen, is at
2 risk for falling, or is at risk for institutionalization, and is otherwise
3 unable to afford the equipment or services to be provided by the
4 program.

5 (d) All other potential funding sources for these equipment and
6 services shall be exhausted before funds appropriated for purposes
7 of this article may be used.

8 9679. The department, in consultation with experts
9 knowledgeable in injury prevention for older adults and persons
10 with disabilities, including, but not limited to, the Fall Prevention
11 Center of Excellence at the University of Southern California,
12 local fall prevention coalitions, and local public health agencies,
13 shall develop and compile training materials and program standards
14 for implementation of this article.

15 9680. (a) The director, in consultation with the entities
16 described in Section 9679, shall establish an application process
17 and a selection methodology for grants authorized pursuant to this
18 article.

19 (b) The department, as part of the grant application process
20 established pursuant to this section, shall require an applicant to
21 submit a plan that details how the area agency on aging will provide
22 injury prevention education, assessment services, equipment, and
23 activities in an effective and cost-appropriate manner. The plan
24 shall include, but not be limited to, all of the following information:

25 (1) The projected number of clients to be served.
26 (2) A description of the local population to be served.
27 (3) The geographic locations at which services will be provided.
28 (4) The array of services that will be offered.
29 (5) The ability of the area agency on aging to administer an
30 effective service program.

31 (6) The ability of the area agency on aging to collaborate with
32 local entities, including, but not limited to, public and private
33 nonprofit agencies that are experienced in injury prevention
34 services, home modification services, home safety services, and
35 services for seniors and persons with disabilities, for purposes of
36 program coordination.

37 (7) The ability of the area agency on aging to gather and utilize
38 other resources to supplant funding provided by the department
39 and whether any local funding match is available.

1 (c) The grant funding awarded to participating area agencies on
2 aging pursuant to this article shall, to the extent provided in
3 subdivision (b) of Section 9682, be sufficient to provide injury
4 prevention education, assessment services, equipment, and
5 activities necessary for injury prevention in the home.

6 (d) The director, in consultation with the entities described in
7 Section 9679, shall identify specific performance measures for
8 grant recipients to include in the report required by Section 9681.
9 These performance measures shall include, but not be limited to,
10 both of the following:

11 (1) The number of people served.

12 (2) The types of services received by program participants.

13 9681. An area agency on aging that receives a grant pursuant
14 to this article shall submit a report to the department and to the
15 appropriate fiscal and policy committees of each house of the
16 Legislature that includes the specific performance measures
17 identified by the department pursuant to subdivision (d) of Section
18 9680. The report shall also provide information on the
19 administrative costs incurred by the agency in carrying out the
20 program and any barriers to service that the agency encountered.
21 A report submitted pursuant to this section shall comply with
22 Section 9795 of the Government Code.

23 9682. (a) Funding of grants pursuant to this article shall be
24 subject to the appropriation of funds by the Legislature in the
25 Budget Act or another statute.

26 (b) Appropriations made pursuant to subdivision (a) shall be
27 expended to fund grants to eligible area agencies on aging in an
28 amount not to exceed one hundred fifty thousand dollars (\$150,000)
29 each.