

## S 434

Empowered at Home Act of 2009

**Congress:** 111 (2009–2011, Ended)

**Chamber:** Senate

**Policy Area:** Health

**Introduced:** Feb 13, 2009

**Current Status:** Read twice and referred to the Committee on Finance.

**Latest Action:** Read twice and referred to the Committee on Finance. (Feb 13, 2009)

**Official Text:** <https://www.congress.gov/bill/111th-congress/senate-bill/434>

### Sponsor

**Name:** Sen. Kerry, John F. [D-MA]

**Party:** Democratic • **State:** MA • **Chamber:** Senate

### Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Grassley, Chuck [R-IA]	R · IA		Feb 13, 2009
Sen. Collins, Susan M. [R-ME]	R · ME		Jun 8, 2009
Sen. Kohl, Herb [D-WI]	D · WI		Jul 6, 2009

### Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	Feb 13, 2009

### Subjects & Policy Tags

**Policy Area:**

Health

### Related Bills

*No related bills are listed.*

Empowered at Home Act of 2009 - Amends title XIX (Medicaid) of the Social Security Act (SSA) to revise the income eligibility level for home and community-based (HCBS) services for elderly and disabled individuals.

Gives states the option to provide HCBS services under a waiver to eligible individuals whose income does not exceed 300% of the supplemental security income (SSI) benefit rate.

Gives states the option to provide HCBS waiver services to individuals for whom such services are likely to prevent, delay, or decrease the likelihood of an individual's need for institutionalized care.

Directs the Secretary of Health and Human Services to award assistance grants to states electing to provide HCBS waiver services under Medicaid through the state plan amendment option.

Reauthorizes Medicaid transformation grants at increased funding and specifies additional permissible uses to facilitate the provision of HCBS and other long-term care (LTC) services.

Directs the Secretary to award grants on a competitive basis to eligible states to conduct an evidence- and community-based health promotion program.

Amends the Internal Revenue Code to allow: (1) a tax deduction for premiums on qualified LTC insurance contracts; and (2) a tax credit for certain caregivers taking care of individuals with LTC needs.

Revises requirements for the model regulation and model Act concerning LTC insurance consumer protections and the excise tax for failing to meet requirements for such protections.

Amends SSA title XIX, with respect to treatment of the income and resources of HCBS waiver services recipients who would otherwise be institutionalized, to repeal the state option for (thus requiring) application to such individuals of spousal impoverishment protection requirements.

Allows states to elect to exclude up to six months of the average cost of nursing facility services from an individual's assets or resources for purposes of eligibility for HCBS waiver services.

Directs the Secretary, acting through the Administrator of the Centers for Medicare & Medicaid Services, to revise certain data reporting forms and systems to ensure uniform and consistent state reporting under this Act.

Directs the Comptroller General to study and report to Congress on: (1) the provision of home health services under different state Medicaid plans; and (2) the extent to which states offer consumer self-direction of such services, or allow for other consumer-oriented policies with respect to them.

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## **Actions Timeline**

- **Feb 13, 2009:** Introduced in Senate
- **Feb 13, 2009:** Sponsor introductory remarks on measure. (CR S2323-2324)
- **Feb 13, 2009:** Read twice and referred to the Committee on Finance.