



AB 123 (Portantino)

Supportive Services for Seniors

Public Policy Issue Brief

February 2009

LEGISLATIVE OBJECTIVE: Make it easier for seniors living in certain types of affordable housing to access the community-based supportive services necessary to maintain independence and postpone moving into a higher level of care prematurely.

BACKGROUND: The Health and Safety Code was amended in 1998 (AB 2686 – Chapter 945) to exempt certain types of affordable housing from licensure requirements imposed by the Department of Social Services. The original exemption was fairly narrow and applied to four specific federal housing programs that targeted seniors and persons with disabilities. The rationale for the exemption was to make it easier for residents of affordable housing to access a variety of supportive services (e.g. Meals on Wheels, In Home Supportive Services, PACE, etc.) without requiring that their individual apartment or the community as a whole be licensed as a care facility.

Affordable senior housing providers focus on the day-to-day management and operations of the housing. They rarely have the resources or capacity necessary to provide supportive services to their residents. Instead, they try to help residents gain access to these services, usually by linking them up with any number of community-based organizations.

The affordable housing programs identified in the original exemption provide safe and affordable housing for thousands of older Californians. Other types of housing like the Low Income Housing Tax Credit program and Public Housing, however, are now serving a greater number of seniors who are looking to age in place. Consider that nearly one-third of all units developed through the LIHTC program in this state are occupied by seniors. For Public Housing units, that figure increases to one-in-four.

As California prepares for the unprecedented challenge of accommodating a new generation of nearly 6.5 million older residents, affordable senior housing providers continue to look for innovative ways to link housing with community-based supportive services.

California has already taken a number of steps to help its older residents age in place. Whether it be the exemption as described above, its efforts to expand the Assisted Living Waiver Pilot Project or its work around systems transformation, the state is currently working to support innovative strategies that lessen reliance on higher levels of care. Doing so helps to both reduce Medi-Cal costs and promote individual choice and direction – a fundamental tenet of aging in place.

RECOMMENDATION: Expand the affordable senior housing exemption as proposed in AB 123 (Portantino, D-Pasadena). Doing so would help to ensure that more of the state's older residents who live in affordable housing have access to community-based supportive services -- services that postpone their moving into less independent, more expensive assisted living or skilled nursing.