

SENATE BILL 654

By Crowe

AN ACT to amend Tennessee Code Annotated, Title 9;
Title 33; Title 52; Title 67 and Title 68, relative to
relief for caregivers of individuals with Alzheimer's
disease or related dementia.

WHEREAS, one in three senior citizens will die from dementia; and

WHEREAS, the caregivers of family members with Alzheimer's disease incur
replacement costs and forgone wages estimated to be \$36,667 per person; and

WHEREAS, financial relief is positively related to the level of service and support
provided by informal caregivers; and

WHEREAS, it is fitting and proper that the state create a financial relief program to
benefit Alzheimer's caregivers; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 52, is amended by adding the following
as a new chapter:

52-9-101. This chapter is known and may be cited as the "Caring for Caregivers Act."

52-9-102. As used in this chapter:

(1) "Activities of daily living" or "ADL" means:

(A) Ambulating, which is the extent of an individual's ability to move from
one position to another and walk independently;

(B) Feeding, which is the ability of an individual to feed oneself;

(C) Dressing, which is the ability to select appropriate clothes and to put
the clothes on without aid;

(D) Personal hygiene, which is the ability to bathe and groom oneself and maintain dental hygiene and nail and hair care;

(E) Continence, which is the ability to control bladder and bowel function;
and

(F) Toileting, which is the ability to get to and from the toilet without aid, using it appropriately, and cleaning oneself;

(2) "Adjusted income" means household income minus fifty percent (50%) of the cost of total eligible expenditures for the year;

(3) "Alzheimer's disease or related dementia" has the same meaning as defined in § 52-8-203;

(4) "Eligible expenditures":

(A) Means uncompensated expenses paid or incurred by a family caregiver that are directly related to assisting the family caregiver in providing care to an eligible family member;

(B) Includes expenses paid or incurred for:

(i) The improvement or alteration to the family caregiver's or eligible family member's primary residence to permit the eligible family member to live in the residence and to remain mobile, safe, and independent;

(ii) The family caregiver's purchase or lease of equipment, including healthcare equipment, durable medical equipment, or technology, that is necessary to assist an eligible family member in carrying out one (1) or more ADLs; or

(iii) Respite care; and

(C) Does not include the carrying out of general household maintenance activities such as painting, plumbing, electrical repairs, or exterior maintenance;

(5) "Eligible family member" means an individual who:

(A) Requires assistance with at least two (2) ADLs and is diagnosed with Alzheimer's disease or related dementia and qualifies as an adult child, spouse, parent, or other relative by blood or marriage to a family caregiver; and

(B) Lives in a private residential home and not in an assisted living center, nursing facility, or residential care home;

(6) "Family caregiver" means an individual who:

(A) Provides care and support for an eligible family member;

(B) Has incurred eligible expenditures; and

(C) For calendar year 2026, and each subsequent year, has an annual adjusted income from all sources that does not exceed thirty-seven thousand dollars (\$37,000); and

(7) "Respite care" has the same meaning as defined in § 52-8-203.

52-9-103.

(a) The department shall establish and administer a family caregiver grant pilot program to provide grants to family caregivers of eligible family members in each of the three (3) grand divisions to offset eligible expenditures incurred by the family caregivers. The pilot program must be operated from July 1, 2025, to December 31, 2028.

(b) There is created a separate fund within the general fund to be known as the family caregiver grant fund. The fund is composed of:

(1) Funds appropriated by the general assembly for the fund; and

(2) Gifts, grants, and other donations received by the department for the fund.

(c) Subject to the availability of funds, the department shall allocate and disperse grants each fiscal year of the pilot program period to family caregivers of eligible family members on a first-come, first-served basis. A grant awarded under this chapter is limited to six thousand dollars (\$6,000) per family caregiver in a fiscal year.

(d) Family caregivers must continue to qualify for a grant while the eligible family member is temporarily relocated for health care to a hospital or skilled or intermediate care facility if the eligible family member indicates an intent to return to the private residential home when recovered sufficiently.

(e) It is the legislative intent that an initial appropriation in the amount of six hundred thousand dollars (\$600,000) be appropriated in fiscal year 2025-2026 in the general appropriations act for awarding grants from the fund.

(f) Moneys in the fund must be invested by the state treasurer for the benefit of the fund in accordance with § 9-4-603. Interest accruing on investments and deposits of the fund must be returned to the fund and remain part of the fund. Any unencumbered moneys and any unexpended balance of the fund remaining at the end of a fiscal year do not revert to the general fund, but must be carried forward until expended in accordance with this section.

52-9-104. The annual adjusted income limit in § 52-9-103(6)(C) must be adjusted by the department on July 1, 2026, and July 1, 2027, to reflect the cost-of-living adjustment for social security recipients as determined by the social security administration and must be rounded to the nearest ten dollars (\$10.00). The income attributable to the family caregiver applying for a grant is the income of the family caregiver and the income of the family caregiver's spouse, if applicable.

52-9-105. The commissioner may promulgate rules to effectuate this chapter in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

52-9-106. On or before October 1, 2026, and by October 1 of each subsequent year, until the close of the pilot program period, the department shall submit a report to the chair of the health and welfare committee of the senate and the chair of the committee in the house of representatives having jurisdiction over health-related matters on the status of the program and on the funds received and payments made by the family caregiver grant fund.

SECTION 2. This act is not an appropriation of funds, and funds must not be obligated or expended pursuant to this act unless the funds are specifically appropriated by the general appropriations act.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.