

117TH CONGRESS
2D SESSION

S. 4862

To establish a commission on long-term care.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2022

Ms. ROSEN (for herself and Mr. BOOZMAN) introduced the following bill;
which was read twice and referred to the Committee on Health, Edu-
cation, Labor, and Pensions

A BILL

To establish a commission on long-term care.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Supporting Our Sen-
5 iors Act”.

6 **SEC. 2. COMMISSION ON LONG-TERM CARE.**

7 (a) IN GENERAL.—There is established a commission
8 to be known as the Commission on Long-Term Care (re-
9 ferred to in this section as the “Commission”).

10 (b) MEMBERSHIP.—

11 (1) COMPOSITION.—

1 (A) MEMBERS.—The Commission shall be
2 composed of 12 members, of whom—

3 (i) 6 shall be appointed by the Presi-
4 dent;

5 (ii) 2 shall be appointed by the Speak-
6 er of the House of Representatives;

7 (iii) 1 shall be appointed by the mi-
8 nority leader of the House of Representa-
9 tives;

10 (iv) 2 shall be appointed by the major-
11 ity leader of the Senate; and

12 (v) 1 shall be appointed by the minor-
13 ity leader of the Senate.

14 (B) QUALIFICATIONS.—Each member ap-
15 pointed under subparagraph (A) shall have ex-
16 perience in one or more of the following areas:

17 (i) Palliative care.

18 (ii) Home and community-based serv-
19 ices delivery.

20 (iii) Labor and workforce develop-
21 ment.

22 (iv) Aging and geriatrics.

23 (v) Advocating for the disability com-
24 munity.

25 (vi) Long-term care insurance.

1 (vii) Advocating for patients and care-
2 givers.

3 (C) DIVERSITY OF QUALIFICATIONS.—

4 (i) IN GENERAL.—In making appoint-
5 ments to the Commission under subpara-
6 graph (A), the President and the congres-
7 sional leaders shall make every effort to se-
8 lect individuals whose qualifications are
9 not already represented by other members
10 of the Commission.

11 (ii) REPRESENTATION OF ALL QUALI-
12 FICATION AREAS.—If no member of the
13 Commission has experience in an area
14 identified in subparagraph (B), the Sec-
15 retary of Health and Human Services shall
16 appoint an agency detailee or stakeholder
17 representative who has experience in such
18 area to be present for all meetings of the
19 Commission.

20 (2) DATE OF APPOINTMENTS.—The appoint-
21 ments of the members of the Commission shall be
22 made not later than 90 days after the date of enact-
23 ment of this Act.

24 (3) MEMBER TERMS; VACANCIES.—

1 (A) MEMBER TERMS.—Members shall be
2 appointed to the Commission for terms of 6
3 years (in the case of members appointed by the
4 President) and 4 years (in the case of all other
5 members). There shall be no limitation on the
6 number of terms a member may be appointed
7 for.

8 (B) VACANCIES.—Any vacancy in the
9 Commission shall not affect its powers, but
10 shall be filled in the same manner as the origi-
11 nal appointment.

12 (4) CHAIRPERSON.—The President shall select
13 a Chairperson for the Commission from among its
14 members.

15 (c) MEETINGS.—

16 (1) INITIAL MEETING.—Not later than 60 days
17 after the date on which a majority of the members
18 of the Commission have been appointed, the Com-
19 mission shall hold its first meeting.

20 (2) MEETINGS.—The Commission shall meet at
21 the call of the Chairperson.

22 (3) QUORUM.—A majority of the members of
23 the Commission shall constitute a quorum, but a
24 lesser number of members may hold hearings.

25 (d) DUTIES OF THE COMMISSION.—

1 (1) IN GENERAL.—The Commission shall not
2 later than 1 year after the date of enactment of this
3 Act, and on a yearly basis thereafter, submit policy
4 recommendations to Congress, the President, appro-
5 priate Federal agencies, and the public with respect
6 to the following:

7 (A) Long-term care coverage for non-Med-
8 icaid eligible population.

9 (B) Considerations for aging in place.

10 (C) Financing options for long-term care
11 for low and middle income individuals.

12 (D) Caregiver supports and workforce sta-
13 bility and preparedness.

14 (E) Access to comprehensive care, includ-
15 ing geriatric care as appropriate, coordination
16 of medical and personal care needs, access to
17 palliative care as needed, including both concur-
18 rently with curative treatment for serious illness
19 or injury and as hospice end-of-life care.

20 (F) Affordability of services.

21 (G) Considerations for children and non-
22 senior adults with disabilities.

23 (H) Support for adult children caring for
24 aging parents, including through health bene-
25 fits, tax credits, and other tax incentives for

1 caregivers who are not able to claim their par-
2 ents as dependents for tax purposes.

3 (I) Integrating meals, access to basic serv-
4 ices, wraparound community services.

5 (J) Reducing hospitalization costs through
6 increased access to home-based services, includ-
7 ing with options through the Medicare and
8 Medicaid programs.

9 (2) INTERACTION WITH OUTSIDE GROUPS.—In
10 developing the recommendations under paragraph
11 (1), the Commission shall regularly consult with—

12 (A) a wide variety of stakeholder groups;

13 (B) the Medicare Payment Advisory Com-
14 mission and the Medicaid and CHIP Payment
15 and Access Commission; and

16 (C) State and county aging agencies.

17 (3) FEDERAL AGENCY RESPONSE.—Not later
18 than 6 months after the submission of a report re-
19 quired under paragraph (1), any Federal agency
20 that is affected by a recommendation described in
21 the report shall submit to Congress a report con-
22 taining the response of the Federal agency to the
23 recommendation and the plans of the Federal agency
24 to address the recommendation.

25 (e) POWERS OF THE COMMISSION.—

1 (1) IN GENERAL.—The Commission may hold
2 such hearings, sit and act at such times and places,
3 take such testimony, and receive such evidence as
4 the Commission considers advisable to carry out this
5 Act. The Commission shall have the authority to ex-
6 ercise these powers via video conference or other re-
7 mote technology as it determines to be appropriate.

8 (2) INFORMATION FROM FEDERAL AGENCIES.—
9 The Commission may secure directly from any Fed-
10 eral department or agency such information as the
11 Commission considers necessary to carry out this
12 Act. Upon request of the Chairperson of the Com-
13 mission, the head of such department or agency
14 shall furnish such information to the Commission.

15 (3) POSTAL SERVICES.—The Commission may
16 use the United States mails in the same manner and
17 under the same conditions as other departments and
18 agencies of the Federal Government.

19 (4) GIFTS.—The Commission may accept, use,
20 and dispose of gifts or donations of services or prop-
21 erty so long as such gifts or donations are publicly
22 disclosed.

23 (f) COMMISSION PERSONNEL MATTERS.—

24 (1) TRAVEL EXPENSES.—The members of the
25 Commission shall be allowed travel expenses, includ-

1 ing per diem in lieu of subsistence, at rates author-
2 ized for employees of agencies under subchapter I of
3 chapter 57 of title 5, United States Code, while
4 away from their homes or regular places of business
5 in the performance of services for the Commission.

6 (2) STAFF.—

7 (A) IN GENERAL.—The Chairperson of the
8 Commission may, without regard to the civil
9 service laws and regulations, appoint and termi-
10 nate an executive director and such other addi-
11 tional personnel as may be necessary to enable
12 the Commission to perform its duties. The em-
13 ployment of an executive director shall be sub-
14 ject to confirmation by the Commission.

15 (B) COMPENSATION.—The Chairperson of
16 the Commission may fix the compensation of
17 the executive director and other personnel with-
18 out regard to chapter 51 and subchapter III of
19 chapter 53 of title 5, United States Code, relat-
20 ing to classification of positions and General
21 Schedule pay rates, except that the rate of pay
22 for the executive director and other personnel
23 may not exceed the rate payable for level V of
24 the Executive Schedule under section 5316 of
25 such title.

1 (3) **DETAIL OF GOVERNMENT EMPLOYEES.**—At
2 the discretion of the relevant agency, any Federal
3 Government employee may be detailed to the Com-
4 mission without reimbursement, and such detail
5 shall be without interruption or loss of civil service
6 status or privilege.

7 (4) **PROCUREMENT OF TEMPORARY AND INTER-**
8 **MITTENT SERVICES.**—The Chairperson of the Com-
9 mission may procure temporary and intermittent
10 services under section 3109(b) of title 5, United
11 States Code, at rates for individuals that do not ex-
12 ceed the daily equivalent of the annual rate of basic
13 pay prescribed for level V of the Executive Schedule
14 under section 5316 of such title.

15 (g) **TERMINATION OF THE COMMISSION.**—The Com-
16 mission shall terminate on the date that is 10 years after
17 the date of enactment of this Act.

18 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated such sums
20 as are necessary to carry out this Act.

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