

Date of Hearing: April 19, 2022

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 2069 (Villapudua) – As Amended April 5, 2022

**[This bill is double referred to the Assembly Health Committee and will be heard by the Committee as it relates to issues under its jurisdiction.]**

**SUBJECT:** California Home Health Aide Training Scholarship Act

**SUMMARY:** Creates the California Home Health Aid Training Scholarship to provide \$1,500 to potential home health aides to offset the cost of training for the purpose of recruiting and retaining individuals in the profession. Specifically, **this bill:**

- 1) Creates the California Home Health Aid Training Scholarship (scholarship) to be administered by the California Student Aid Commission (CSAC) for the purpose of incentivizing the increase of enrollment in home health aide programs.
- 2) Authorizes CSAC to do all of the following:
  - a) Encourage persons to apply who are interested in becoming a home health aide;
  - b) Develop an application process and award scholarships of \$1,500 on a rolling basis to 1,000 people; and,
  - c) Permit the scholarship to be used for costs related to home health aide training programs including, but not limited to, tuition, books, supplies, uniforms, cardiopulmonary resuscitation (CPR) certification, background checks, childcare, and transportation.
- 3) Requires those who apply for the scholarship to use the scholarship funds for the costs associated with enrolling in a home health aide training program and to commit to working as a home health aide for at least five years after completing the training program.
- 4) Authorizes CSAC to administer the scholarships upon appropriation from the Legislature.
- 5) Makes various findings and declarations on behalf of the Legislature pertaining to need of home health aides including, but not limited to the following:
  - a) California's master plan for aging stipulates a goal of having 1 million high quality direct care jobs by 2030 and home health aides are part of this vital direct care workforce;
  - b) Home health aides provide personal care services under a plan of treatment prescribed by a patient's doctor or surgeon;
  - c) The issues impacting the direct care workforce are complex and include low wages and institutional inequities in which minority women disproportionately perform a large share of the caregiving jobs; and,
  - d) The California Department of Aging plans to provide \$150 million in one-time federal funds for direct care workforce training and stipends.

**EXISTING LAW:**

- 1) Establishes CSAC as the state agency charged with administering state financial aid programs to qualifying students enrolled in institutions of higher education throughout the State (Education Code (EDC) Section 69510, et seq.).
- 2) Creates the Cal Grant C program for the purpose of providing financial resources to qualifying students, as defined, who seek to enroll in occupational and technical training programs which are aligned with the state's dynamic economic needs as determined by CSAC in consultation with various state and federal agencies associated with workforce development. Cal Grant C will be authorized for training that is not less than four month and the amount of the grant and number of recipients shall be determined in the annual Budget Act (EDC Section 69439).
- 3) Defines a home health aide as an aide who has completed a state-approved training program, is employed by a home health agency or hospice program, and provides personal care service in a patient's home. Defines home health aide services as personal care services provided within a plan of treatment prescribed by a licensed doctor or surgeon. These services are rendered by a home health aide (Health and Safety Code (HSC) Section 1727).
- 4) Authorizes the certification of an applicant for a home health aide certification if the applicant has done the following:
  - a) Successfully completed a training program with a minimum of 75 hours or an equivalent competency evaluation program as determined by the California Department of Public Health;
  - b) Obtained a clear criminal record clearance by electronically submitting fingerprint images and related information to the Department of Justice as defined by Section 1736.6; and,
  - c) Provided the Department of Public Health their individual taxpayer identification number or social security number for purposes of applying for certification and/or renewal of the certificate. Places limitations, as defined, for how the Department of Public Health may utilize the personal identifying information of this section.
    - i) Prohibits the Department of Public Health from requiring an applicant to disclose their citizenship status or immigration status for purposes of application or renewal of certificate and prohibits the Department of Public Health from denying an applicant solely based on their immigration status or citizenship status. Violations of this prohibition amount to a misdemeanor, punishable by imprisonment for no more than 180 days or a fine of no more than \$1,000 or both (HSC Section 1736.1)
- 5) Requires a certified home health aide to renew their certification and obtain criminal record clearance as defined by Section 1736.6 every two years (HSC Section 1736.2).
- 6) Establishes the basic training for a home health aide certificate program to be 120 hours and to consist of at a minimum the following:

- a) Introduction (4 hours): including, but not limited to: definition of functions and responsibilities as a home health aide and interpretations of the employing agencies policies, as defined;
- b) Interpretation of medical and social needs of people being served (20 hours);
- c) Personal care services (70 hours): including, but not limited to, assisting patients with personal hygiene, assisting patients in self-care activities, and assisting in mobility;
- d) Cleaning and care tasks in the home (10 hours); including, but not limited to: home safety measures, handling laundry, and principles of general cleanliness of environment;
- e) Nutrition (16 hours): including, but not limited to, meal planning and serving and food preparation, sanitation, and storage.

Specifies that the training shall include 20 hours of clinical experience of which at least 15 hours are personal services, two hours are in cleaning and care, and three hours are in nutrition. Clarifies the in classroom lecture will only consist of 75 hours of the overall required training (California Code of Regulations, Title 22, Division 5, Chapter 6, Article 5).

**FISCAL EFFECT:** Unknown

**COMMENTS:** *Need for the measure.* As delineated by the author the need for AB 2069 is “according to the Master Plan for Aging, California will face a labor shortage up to 3.2 million paid direct care workers, which includes home care aides and home health aides. As greater numbers of older adults choose to age in place, the shortage of these essential workers severely impacts the wellbeing of older adults and individuals with disabilities residing at home. AB 2069 will enact the California Caregivers Home Health Aide Training Scholarship Act, which will award scholarship recipients \$1,500 each to be used for home health aide training programs and will be required to work in this field for at least 5 years. By incentivizing enrollment in this field, it will help address the direct care workers shortage and will provide immediate relief to families who desperately need help caring for loved-ones aging at home.”

*California Master Plan for Aging.* On June 10, 2019, Governor Newsom signed an executive order authorizing the creation of an interagency advisory committee to draft a “Master Plan for Aging for the State of California”. In the executive order, the Governor highlighted the need for the master plan as “California’s over-65 population is projected to grow to 8.6 million by 2030, an increase of four million older Californians”. Often referred to as the silver tsunami, the increase in the over 65 years of age population directly correlates to the need for additional resource capacity building at both the local and state level to handle the needs of the aging population. In January 2021, the California Department of Aging published the first iteration of the “Master Plan for Aging” (master plan).

The master plan estimates as the population ages, the state will face a labor shortage of up to 3.2 million paid direct care workers. Direct care workers, as defined by the master plan, are those who provide assistance to the aging population in a variety of settings including private homes, adult day center, or in residential care homes. Home health aides are part of the direct care workforce. According to the Employment Development Department (EDD) employment growth projections for home health aides between 2018 and 2028 is 19%.

*Home Health Aide Training Programs.* As detailed by the EDD, applicants who seek a home health aide certificate issued by the California Department of Public Health must be at least 16 years of age, have no felonies or misdemeanor convictions, a negative tuberculosis skin test, pass a physical, and complete 120 hours of approved training, which is a combination of a home health aide training program and a nursing assistant training program.

The California Department of Public Health (CDPH) approves and maintains a list of postsecondary education institutions home health aide training programs in the state. Currently there are 177 approved programs located at California Community Colleges, for-profit institutions, and non-profit institutions throughout the state. These programs only offer the 40 hour home health aide training program that is taken after a prospective student has completed the certified nursing assistance certificate. The majority of community colleges on the approved list offer both a nursing assistant certification (CNA) and a home health aide certification. One of the approved CCC on the list is Allan Hancock College in Santa Maria which offers a 12 unit course for a CNA and a 2 unit course for a home health aide for a total of 14 units or roughly two semesters. Therefore, for a California resident or AB 540 student, the cost to complete the required training to become a home health aide is \$644. On average the cost of a home health aide training program offered by a private for-profit is around \$2,000 – \$2,500.

*Financial Aid for Home Health Aides.* Cal Grant C is a state-funded financial aid program, which offers financial assistance to students pursuing an occupational or technical program. There is no grade point average requirement or age requirement for Cal Grant C and a student can qualify by completing either the Free Application for Federal Student Aid (FASFA) or a CA Dream Act Application. Qualifying low and middle income students receive up to \$2,462 for tuition fees and \$547 in books, tools, or equipment if the student attends an eligible private for profit or private nonprofit institution or students can receive up to \$1,094 at any CCC. Cal Grant C can be used for any approved occupational training program and home health aides is an approved occupation.

The 2021-2022 Budget Act included a \$150 million one-time investment for “Direct Care Workforce (non-IHSS) Training and Stipends Program” administered by the California Department of Aging to build a qualified workforce to meet the needs of the aging population. Based on various proposals from the California Department of Aging, the Direct Care Workforce Training and Stipends Program will be focused on providing training and stipends to either recruit individuals into the workforce or to provide stipends to existing direct care workers who wish to build on their experience to obtain a higher-level job in the home care and healthcare industry. Specifically the target population for these programs would be home health aides, social workers, and personal care assistances. The California Department of Aging has confirmed the program has been approved by the Federal Government and will be implemented in the years to come.

*Committee Comments.* Everyone ages and therefore the need for a skilled direct care workforce who can assist the elderly age with dignity in their own homes is a vital resource for any economy. As mentioned in the declarations and findings of AB 2069 (Villapudua) caregiving is often relegated to women who are often asked at the beginning and end of their careers to take on the role of a caregiver whether it be for children or for adults. Providing incentives for a trained and skilled workforce to care for our elderly is an investment worth examining.

AB 2069 (Villapudua) provides a scholarship program to assist those who wish to enter the caregiving or direct care workforce as home health aides. The scholarship is set at \$1,500 and would be available to applicants for a myriad of expenses beyond tuition. According to the U.S. Bureau of Labor Statistic, a home health aide in California on average receives an annual wage of \$31,750. To place this wage in perspective, the gross monthly income eligibility for CalFresh is \$25,536 for a single person. Therefore, ensuring home health aides meet the educational requirements for their certification from the California Department of Public Health without incurring debt is a step the State can take to reduce the turnover currently experienced in the low-wage occupation.

CSAC oversees several other scholarship and grant programs which provide funding for occupations the State sees as vital to its future. The Golden State Teacher Grant Program (GSTGP) is an example where the State provides grants to assist potential teachers in obtaining their teaching credential. Recipients of the grant are then expected to fulfill a service agreement by teaching in a high need area at a priority school for four years after successfully completing their credential. Both the GSTGP and AB 2069 (Villapudua) offer a fiscal incentive to promote service in a high need occupation; however, nothing in AB 2069 (Villapudua) would recoup the fiscal incentive if the awardee does not complete the service requirement.

Furthermore, AB 2069 (Villapudua) does not actually require the scholarship recipient to complete the service requirement, it simply mentions that the recipient must state they intend to complete the five year service requirement as a home health aide. Furthermore, five years is a long time to expect a home health aide to remain in an industry with low wages before experiencing occupational growth. As highlighted by the “Master Plan on Aging”, turnover is expected in the home health aide industry due to the low wages. AB 2069 (Villapudua) does not address this concern, but considering the low cost associated with the scholarship and subsequent training, five years of service is a steep price to pay and many may not consider the scholarship due to the hold on their career growth.

AB 2069 (Villapudua) establishes a new scholarship under the purview of CSAC for the purpose of expanding a workforce. Considering home health aides currently qualify for a Cal Grant C and the ongoing current legislative efforts to reform the existing state financial aid program to be more inclusive and provide monetary assistance for the total cost of attendance, this scholarship proposal is not only duplicative, but could be seen as a competing measure for finite state resources. *The author may wish to re-examine whether this is an appropriate use of state generated funds in light of other financial aid efforts and may wish to wait to see if the California Department of Aging “Direct Care Workforce Incentive and Training” program will accomplish the intent of this bill.*

*To align AB 2069 (Villapudua) with other scholarships and grants provided by CSAC, the Committee has offered and the author has accepted the following amendments, which will be processed by the Assembly Health Committee:*

*69830. (a) The California Home Health Aide Training Scholarship Act is hereby created to be administered by the commission. The purpose of the act is to incentivize enrollment in home health aide training programs.*

*~~69831.~~ (b) In administering the act, the commission shall do all of the following:*

~~(a)~~ (1) Solicit applications from those interested in training as a home health aide.

~~(b)~~ (2) Develop an application process.

~~(c)~~ (3) Award scholarships on a rolling basis to qualified applicants.

~~(d)~~ (4) Award scholarships to up to 1,000 people.

~~(e)~~ (5) Award scholarships of one thousand five hundred dollars (\$1,500) per person to be used for a variety of costs related to the training program, including, but not limited to, tuition, books, supplies, uniforms, cardiopulmonary resuscitation (CPR) certification, background checks, childcare, and transportation.

~~69832.~~ (c) ~~Individuals who apply for a scholarship pursuant to this article shall meet both of the do the following requirements:~~ A scholarship recipient shall agree to do the following:

~~(a)~~ (1) Use the scholarship funds for enrollment in a home health aide training program and related costs.

~~(b)~~ (2) Upon completion of the home health aide training program, satisfy the state requirements for certification as a home health aide.

(3) Complete the service requirement of working for three years as a home health aide after becoming a certified home health aide. ~~Commit to working as a home health aide for at least five years following completion of the training program.~~

(4) Agree to repay 25 percent of the total received scholarship funds if the recipient fails to do (1) – (3).

(d) Nonperformance of the commitment to work at least three years following the completion of the training program shall be certified by the California Department of Public Health.

~~69833.~~ (e) This article shall be operative upon appropriation by the Legislature.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

California Association for Health Services At Home  
California Senior Legislature

### **Opposition**

None on file.

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