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WELFARE AND INSTITUTIONS CODE - WIC

DIVISION 8.5. MELLO-GRANLUND OLDER CALIFORNIANS ACT [9000 - 9850] (*Division 8.5 repealed and added by Stats. 1996, Ch. 1097, Sec. 13.)*

CHAPTER 2. California Department of Aging [9100 - 9163] (*Chapter 2 added by Stats. 1996, Ch. 1097, Sec. 13.)*

ARTICLE 5. Comprehensive Act for Families and Caregivers of Cognitively Impaired Adults [9156 - 9163] (*Article 5 added by Stats. 2022, Ch. 50, Sec. 39.)*

9156. The Legislature finds all of the following:

(a) Across California, approximately 4,500,000 family caregivers support adult loved ones who seek to remain at home and avoid institutionalization. Of these, more than 1,100,000 family caregivers are caring for someone with Alzheimer's disease or related dementia, usually with little support or training.

(b) Caring for a loved one with a cognitive disorder or another disabling condition can be very challenging, causing financial pressure, health problems, and emotional distress.

(c) The California Caregiver Resource Centers (CRCs) provide services to family caregivers of adults affected by chronic and debilitating health conditions, including dementia, Alzheimer's disease, cerebrovascular diseases, degenerative diseases such as Parkinson's disease, Huntington's disease and multiple sclerosis, or traumatic brain injury, among others.

(d) California's CRC system supports caregivers in their critical and increasingly complex roles through assessment, care planning, direct care skills, wellness programs, respite services, and legal or financial consultation. These supports are important in helping caregivers navigate the complex health and social needs of loved ones.

(e) The CRC network is vital to supporting California's 4,500,000 diverse caregivers, which will only continue to grow as the state's population ages.

(f) The state shall support family caregivers by funding and implementing the California CRCs.

(*Added by Stats. 2022, Ch. 50, Sec. 39. (SB 187) Effective June 30, 2022.*)

9157. As used in this chapter:

(a) "Caregiver" means any unpaid family member or individual who assumes responsibility for the care of a cognitively impaired adult with chronic and debilitating health conditions, including dementia, Alzheimer's disease, cerebrovascular diseases such as stroke or aneurysm, degenerative diseases such as Parkinson's disease, Huntington's disease, and multiple sclerosis, or traumatic brain injury.

(b) "Cognitive impairment" means significant destruction of brain tissue with resultant loss of brain function. Examples of causes of the impairments include dementia, Alzheimer's disease, cerebrovascular diseases such as stroke or aneurysm, degenerative diseases such as Parkinson's disease, Huntington's disease, and multiple sclerosis, or traumatic brain injury.

(c) "Cognitively impaired adult" means a person whose cognitive impairment has occurred on or after 18 years of age.

(d) "CRC" means a caregiver resource center.

(e) "Department" means the California Department of Aging.

(f) "Family member" means any relative, partner, or court-appointed guardian or conservator who is responsible for the care of a cognitively impaired adult.

(g) "Respite care" means substitute care or supervision in support of the caregiver for the purposes of providing relief from the stresses of providing constant care and so as to enable the caregiver to pursue a normal routine and responsibilities. Respite care may be provided in the home or in an out-of-home setting, such as adult daycare centers or short-term placements in licensed residential care, skilled nursing, or inpatient facilities.

(*Added by Stats. 2022, Ch. 50, Sec. 39. (SB 187) Effective June 30, 2022.*)

9158. The department shall administer this chapter and establish standards and procedures as the director deems necessary in carrying out the provisions of this chapter. The standards and procedures are not required to be adopted as regulations pursuant to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

(Added by Stats. 2022, Ch. 50, Sec. 39. (SB 187) Effective June 30, 2022.)

9159. (a) The department shall do all of the following:

- (1) Maintain or enter into contracts directly with nonprofit CRCs to provide direct services to caregivers throughout the state in the existing geographic service areas.
- (2) Require the CRCs to maintain a CRC Operations Manual that defines CRC services and procedures and identifies CRC duties and responsibilities.

(b) The department may enter into any contracts under this chapter on a bid or noncompetitive bid basis. These contracts shall be exempt from Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code.

(Added by Stats. 2022, Ch. 50, Sec. 39. (SB 187) Effective June 30, 2022.)

9160. (a) Agencies designated as CRCs by the department shall include in their governing or advisory boards, or both, as required by the department, persons who are representative of the ethnic and socioeconomic demographic of the area served and reflective of the client groups served in the geographic area.

(b) Criteria to be used in selecting CRCs shall include, but not be limited to, the following:

- (1) Fiscal stability and sound financial management, including the capability of successful fundraising.
- (2) Ability to obtain community support for designation as a CRC within the existing statewide regions recommended by the department.
- (3) Ability to carry out the functions specified in Section 9161, particularly in delivering necessary programs and services to caregivers taking care of cognitively impaired adults, as defined in subdivision (c) of Section 9157.

(Added by Stats. 2022, Ch. 50, Sec. 39. (SB 187) Effective June 30, 2022.)

9161. (a) The CRCs shall deliver services to and advocate for caregivers of cognitively impaired adults, as established in the CRC Operations Manual.

(b) These services shall include, but not be limited to, all of the following:

- (1) Specialized and accessible information on chronic and disabling conditions and diseases, aging, caregiving issues, and community resources.
- (2) Family consultation. Professional staff shall work with families and caregivers to provide support, alleviate stress, examine options, and enable them to make decisions related to the care of cognitively impaired adults. Clinical staff shall provide an assessment of caregiver needs, short- and long-term care planning, and ongoing consultation.
- (3) Respite care. The CRCs shall arrange respite services to relieve caregivers of the stress of constant care.
- (4) Short-term counseling. The CRCs shall provide short-term individual or group counseling sessions to caregivers seeking emotional support, skill development, and strategies to better cope with their caregiving situation.
- (5) Support groups. The CRCs shall offer support groups that enable caregivers to share experiences and ideas to ease the stress of their caregiving role.
- (6) Legal and financial consultation, including professional legal assistance or referrals to professional legal assistance, that can help caregivers with a variety of issues, including estate planning, trusts, wills, conservatorships, and durable powers of attorney.
- (7) Education and training. The CRCs shall organize and conduct education for groups of caregivers and community professionals on a variety of topics related to caregiving.

(c) The amount of each of the services specified in subdivision (b) that are provided shall be determined by local needs and available resources.

(d) Persons receiving services pursuant to this chapter may be required to contribute to the cost of services depending upon their ability to pay, but not to exceed the actual cost thereof.

(Added by Stats. 2022, Ch. 50, Sec. 39. (SB 187) Effective June 30, 2022.)

9162. Each CRC shall submit progress reports on its activities as required by the department. These reports shall include, but not be limited to, a summary and evaluation of the activities of the CRC. Client, caregiver, service, and cost data shall be provided for each operating CRC.

(Added by Stats. 2022, Ch. 50, Sec. 39. (SB 187) Effective June 30, 2022.)

9163. The department shall administer the statewide caregiver resource center program as a distinct state-level program separate from Title III of the federal Older Americans Act (42 U.S.C. Sec. 3021 et seq.).

(Added by Stats. 2022, Ch. 50, Sec. 39. (SB 187) Effective June 30, 2022.)