



Wider Opportunities for Women

CAREGIVER CREDITS, COMPENSATION & WORKPLACE FLEXIBILITY PROPOSALS: LEGISLATIVE AND ACADEMIC

Caregiver Credits & Compensation

H.R.769: To amend title II of the Social Security Act to credit prospectively individuals serving as caregivers of dependent relatives with deemed wages for up to five years of such service.

Sponsor: Rep. Lowey, Nita M. [NY-18] (introduced 1/28/2009) Cosponsors (None)

Latest Major Action: 1/28/2009 Referred to House committee. Status: Referred to the House Committee on Ways and Means.

SUMMARY AS OF: 1/28/2009—Introduced: Social Security **Caregiver** Credit Act of 2009 - Amends title II (Old Age, Survivors and Disability Insurance) (OASDI) of the Social Security Act with respect to determining entitlement to and the amount of any monthly benefit, including any lump-sum death payment, payable under OASDI on the basis of the wages and self-employment income of any individual. Deems such an individual to have been paid a wage (according to a specified formula) during each month during which the individual was engaged for at least 80 hours in providing care to a dependent relative without monetary compensation for up to five years of such service. Makes this Act inapplicable in the case of any monthly benefit or lump-sum death payment if a larger benefit or payment would be payable without its application.

S.697: Community Living Assistance Supports and Services Act: A bill to amend the Public Health Service Act to help individuals with functional impairments and their families pay for services and supports that they need to maximize their functionality and independence and have choices about community participation, education, and employment, and for other purposes.

Sponsor: Sen. Kennedy, Edward M. [MA] (introduced 3/25/2009) Cosponsors (6)

Latest Major Action: 3/25/2009 Referred to Senate committee. Status: Read twice **and** referred to the Committee on Finance.

This bill would allow individuals to pay family members to provide H&CB LTC.

H.R.519: To authorize additional appropriations for the family caregiver support program under the Older Americans Act of 1965, and for the National Clearinghouse for Long-Term Care Information, for fiscal years 2010, 2011, and 2012.

Sponsor: Rep. Israel, Steve [NY-2] (introduced 1/14/2009) Cosponsors (6)

Latest Major Action: 1/14/2009 Referred to House committee. Status: Referred to the Committee on Education and Labor, and in addition to the Committee on Energy and Commerce, for a period to be

subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

SUMMARY AS OF: 1/14/2009—Introduced: Elder Caregiver Support and Information Enhancement Act of 2009 - Amends the Older Americans Act of 1965 to authorize additional appropriations for FY2010-FY2012 for the family **caregiver** support program. Authorizes appropriations for FY2010-2012 for the National Clearinghouse for Long-Term Care Information.

S.434 : A bill to amend title XIX of the Social Security Act to improve the State plan amendment option for providing home and community-based services under the Medicaid program, and for other purposes.

Sponsor: Sen. Kerry, John F. [MA] (introduced 2/13/2009) Cosponsors (1)

Committees: Senate Finance

Latest Major Action: 2/13/2009 Referred to Senate committee. Status: Read twice and referred to the Committee on Finance.

This bill would increase reimbursement and compensation of family caregivers under Medicaid.

Workplace Flexibility

H.R.824: To amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to allow employees to take, as additional leave, parental involvement leave to participate in or attend their children's and grandchildren's educational and extracurricular activities, and to clarify that leave may be taken for routine family medical needs and to assist elderly relatives, and for other purposes.

Sponsor: Rep. Maloney, Carolyn B. [NY-14] (introduced 2/3/2009) Cosponsors (11)

Committees: House Education and Labor; House Oversight and Government Reform; House Administration

Latest Major Action: 3/23/2009 Referred to House subcommittee. Status: Referred to the Subcommittee on Workforce Protections.

H.R.1274: To permit employees to request, and to ensure employers consider requests for, flexible work terms and conditions, and for other purposes.

Sponsor: Rep. Maloney, Carolyn B. [NY-14] (introduced 3/3/2009) Cosponsors (6)

Latest Major Action: 3/3/2009 Referred to House committee. Status: Referred to the Committee on Education and Labor, and in addition to the Committees on Oversight and Government Reform, House Administration, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

SUMMARY AS OF: 3/3/2009—Introduced: Working Families Flexibility Act - Authorizes an employee to request from an employer a change in the terms or conditions of the employee's employment if the request relates to: (1) the number of hours the employee is required to work; (2) the times when the employee is required to work; or (3) where the employee is required to work. Sets forth certain employer duties with respect to such requests.

Makes it unlawful for an employer to interfere with any rights provided to an employee under this Act. Authorizes an employee to file a complaint with the Administrator of the Wage and Hour Division of the Employment Standards Administration of the Department of Labor for any violations of such rights. Provides for the investigation and assessment of civil penalties or the award of relief for alleged violations, including the review in federal courts of appeal of orders of the Administrator.

Requires the Secretary of Labor to carry out a research, education, and technical assistance program for employers, labor organizations, and the general public regarding compliance with this Act.

Applies the requirements of this Act to certain classes of employees, including employees of the Government Accountability Office (GAO) and the Library of Congress.

H.R.626: To provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

Sponsor: [Rep. Maloney, Carolyn B.](#) [NY-14] (introduced 1/22/2009) [Cosponsors](#) (51)

Related Bills: [S.354](#)

Latest Major Action: 3/25/2009 House committee/subcommittee actions. Status: Forwarded by Subcommittee to Full Committee by Voice Vote .

Supporting Caregivers

H.CON.RES.59: Supporting the goals and ideals of senior caregiving and affordability.

Sponsor: [Rep. Terry, Lee](#) [NE-2] (introduced 2/24/2009) [Cosponsors](#) (5)

Latest Major Action: 3/30/2009 Referred to House subcommittee. Status: Referred to the Subcommittee on Healthy Families and Communities.

SUMMARY AS OF: 2/24/2009—Introduced: Declares that Congress: (1) focuses on learning more about senior care and being prepared to manage the needs of our aging population; (2) recognizes caregiving as a profession; (3) supports the efforts of family **caregivers** nationwide by encouraging individuals to provide care to family, friends, and neighbors; (4) fosters a private home care industry environment that supports enterprise to provide accessible and affordable caregiving services to seniors while providing standardized training to paid **caregivers** that offers opportunity for their continued growth and development; (5) studies alternatives to make caregiving even more accessible and affordable; (6) examines and continues to fund current federal programs which address the accessibility and affordability needs of seniors and their family **caregivers**; and (7) encourages the Secretary of Health and Human Services to continue working to educate people on the impact of aging and the importance of knowing the options available to meet seniors' personal needs.

S.543: A bill to require a pilot program on training, certification, and support for family caregivers of seriously disabled veterans and members of the Armed Forces to provide caregiver services to such veterans and members, and for other purposes.

Sponsor: [Sen. Durbin, Richard](#) [IL] (introduced 3/6/2009) [Cosponsors](#) (12)

Committees: Senate Veterans' Affairs

Latest Major Action: 3/6/2009 Referred to Senate committee. Status: Read twice and referred to the Committee on Veterans' Affairs. **H.R.626**

Title: To provide that 4 of the 12 weeks of parental leave made available to a Federal employee shall be paid leave, and for other purposes.

Sponsor: [Rep. Maloney, Carolyn B.](#) [NY-14] (introduced 1/22/2009) [Cosponsors](#) (51)

Related Bills: [S.354](#)

Latest Major Action: 3/25/2009 House committee/subcommittee actions. Status: Forwarded by Subcommittee to Full Committee by Voice Vote.

H.CON.RES.48: Expressing the sense of Congress that national health care reform should ensure that the health care needs of women and of all individuals in the United States are met.

Sponsor: [Rep. Schakowsky, Janice D.](#) [IL-9] (introduced 2/11/2009) [Cosponsors](#) (37)

Related Bills: [S.CON.RES.6](#)

Latest Major Action: 2/11/2009 Referred to House committee. Status: Referred to the House Committee on Energy and Commerce.

SUMMARY AS OF: 2/11/2009—Introduced: Declares that Congress commits to passing, within 18 months, legislation that guarantees health care for women and all individuals and that establishes coverage that enables women to attain good health that they can maintain during their reproductive years and throughout their lives. Requires such legislation to : (1) recognize the role of women as health care consumers, **caregivers**, and providers; (2) guarantee a level of benefits and care necessary to achieve and maintain good health throughout a woman's lifetime and lessen the burdens caused by poor health; (3) promote primary and preventive care; (4) provide a choice of public and private insurance plans and direct access to a choice of health care providers to ensure continuity of coverage and a delivery system that meets the needs of women; (5) eliminate disparities in health coverage, treatment, and outcomes on the basis of gender, culture, race, ethnicity, socioeconomic status, health status, or sexual orientation; (6) share financing responsibility among employers, individuals, and the government while taking into account small business needs; (7) ensure affordable access to health care; (8) enhance health care quality and patient safety; (9) ensure a sufficient supply of qualified providers through expanded medical and public health education and adequate reimbursement; (10) ensure every woman access to a women's medical home, including direct access to women's health care providers and care coordination, throughout each woman's lifetime; (11) recognize and promote the role of women as providers of health care; and (12) promote administrative efficiency and ease of use.

ACADEMIC PROPOSALS

INCREASING SOCIAL SECURITY BENEFITS FOR FAMILY ELDER CAREGIVERS

Informal care provided by family members improves quality of life for frail elders, allows them to remain in the community instead of in nursing homes, and saves Medicaid dollars. Providing the care also imposes opportunity costs on caregivers that weaken their own retirement security. In *Retirement Security for Family Elder Care Givers*, Shelley I. White-Means and Rose M. Rubin propose to provide up to **four years of Social Security credit** to individuals who provide care to elders. The elders must be certified to need levels of care that would qualify for Medicaid coverage. The value of the credit would be the caregiver's average wage in the three years before caregiving interrupted earnings. The authors suggest the credit could be financed based on the reduction in public spending for nursing home care.

URBAN INSTITUTE RECOMMENDATION FROM MELISSA FAVREAU

Despite a lifetime of hard work, many workers end up poor or near poor in retirement. *A New Minimum Benefit for Low Lifetime Earners* examines a new minimum benefit that targets workers with long careers and low lifetime earnings, along with a modest credit that compensates for up to three years of low (or no) earnings due to care giving, unemployment, or poor health. The benefit at the full retirement age would pay **60 percent of the poverty threshold** for a worker with 20 years of Social Security covered work and increase to 110 percent of the poverty threshold for a worker with 40 years of work. Caregiver credits would be available only in years when a child is under age 4 and only to one parent. The credit would be **60 percent of the average wage** in the first such year, **50 percent in the second year** and **40 percent** in the third year.