



2009 New York

LEGISLATIVE AGENDA



Marilyn Pinsky,
State President



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State Director

Letter from **Marilyn Pinsky**, AARP New York State President and **Lois Aronstein**, AARP New York State Director

These challenging economic times for our state and nation only serve to reinforce our mission at AARP—to stand up for our members and all New Yorkers as a nonpartisan advocate for social change.

Lifetime financial security and affordable, accessible health care are central to the quality of life for everyone as they age. Getting there won't be easy and won't be done overnight, but each year AARP New York—with 2.6 million members, 400,000 activists, and 5,000 volunteers—works hard to achieve these goals at the state and federal levels.

In 2009, AARP New York will focus on working to:

- ensure choice and quality for those needing long-term care services;
- make prescription drugs more affordable;
- make homes, roads, and neighborhoods more “livable” so people can age in their own communities;
- find ways to allow people to save more money for their financial security;
- provide help to grandparents who are raising their grandchildren;
- increase access to quality health care.

All New Yorkers deserve peace of mind about their health care and lifetime financial security. Together, we stand ready to take on these issues to guarantee that New Yorkers age 50+ have independence, choice, and control in ways that are beneficial to them and society as a whole.

Sincerely,

Marilyn Pinsky
State President
AARP New York

Lois Aronstein
New York State Director
AARP New York

State Legislative Agenda

Prescription Drugs

Background:

For the past six years, the prices manufacturers charge wholesalers and other direct purchasers for 193 brand-name drugs widely used by older Americans have increased, on average, by 6.2 percent, more than 1.5 times the inflation rate.

New Yorkers ages 55 to 64 are more likely not to have health care coverage for prescription drugs nor qualify for programs like Medicare that could provide needed coverage. Close to 20 percent of New Yorkers in this age group have either not filled or delayed taking a prescription to save money on their medications.

Drug companies spend billions of dollars each year to influence doctors to prescribe new and more expensive drugs when less expensive but equally effective drugs may be available. According to the *Journal of the American Medical Association*, 90 percent of the marketing budgets of pharmaceutical companies is aimed directly at doctors.

AARP Position:

New York State should pass prescription drug market reform legislation to curb the influence the pharmaceutical industry has on doctors' prescribing decisions that can affect consumers' pocket books and the quality of their health care. One proposal AARP supports is to ban drug company gifts to doctors and other health care providers. Such gifts can be used to influence the prescribing of new, high-cost, brand-name medications when equally effective, less expensive, older, or generic drugs may be available.

AARP also believes the state should bulk purchase its prescription drugs to save taxpayers money and create more access for people who do not have prescription drug coverage or have gaps in their coverage.

New York's prescription drug program for seniors—EPIC—must be maintained as a strong and comprehensive prescription drug insurance program. AARP New York opposes efforts to weaken EPIC, particularly any proposal that could result in EPIC enrollees not obtaining the drugs they need when they go to the pharmacy.





Long-Term Care Background

Long-term care services can include personal care, rehabilitation, transportation, meals, nursing facility care, home- and community-based services, respite care, case management, and social services. New York has major long-term care challenges ahead as our population age 85+ is expected to increase 27 percent by 2020.

Programs such as home care and those administered by the New York State Office for the Aging provide essential services that allow people to receive care in their homes and communities. According to the State Office for the Aging, 80 percent of all long-term care services in the state is provided by more than 2 million family members. AARP estimates that the care family members give to loved ones would cost \$25 billion if paid for by New York State.

Programs supporting community-based care allow older adults and people with disabilities to continue to receive needed long-term care services while saving the state money that might otherwise be spent on more expensive institutional care. According to a 2007 AARP survey, 80 percent of New Yorkers age 50+ want to age in place and prefer to receive care in their homes.

AARP Position

New York State must keep its commitment to expanding programs and services that keep people healthy and living independently in their own homes—and out of costly institutional care. AARP believes there should be choice and independence in long-term care that will enable people of all ages to make informed choices and remain in their homes and communities.

- To the extent they are capable, consumers should make their own decisions about the long-term care services they receive and where they receive these services.
- New York needs to develop a long-term care system that provides uniform information and assessment of health needs and then authorizes services to be provided at appropriate levels of care with consumer choice.
- Family caregivers need supportive services, such as respite care and adult day services, so they can continue to provide care for their loved ones in their homes and communities rather than being forced to send them to institutionalized care like nursing homes.
- New York State should continue to shift public resources to home- and community-based services to better meet consumers' needs and preferences. Home- and community-based services have proven to be cost effective in that they can reduce the growth rate in long-term care spending and serve more people for the same cost.

Livable Communities

Background

AARP defines a “livable community” as one that has affordable and accessible housing, promotes safe driving, and offers a range of mobility options—all of which facilitate personal independence and the engagement of residents in civic and social life. In other words, “livable communities” are places where people of all ages and abilities can be safe and comfortable in their homes and have the ability to get where they need to go safely.

Ensuring that older New Yorkers can continue to age in their communities is one of AARP New York’s top priorities. In just 20 years, almost 20 percent of America’s population will be 65 or older.

However, the structural barriers in much of existing housing and inadequate safe mobility options can prevent older adults from leading independent lives and participating fully in their communities. Many houses have steps at all entrances, narrow doorways, long and narrow hallways, and lack an accessible bathroom on the main floor. Similarly, a lack of accessible sidewalks, poorly lit roads, and inadequate transportation alternatives to driving are all examples of barriers to living in the community.

Basic mobility is also fundamental to the quality of life for older Americans. Maintaining social contacts and independence depends, in large part, upon an older person’s ability to move about, both within the home and the community.

AARP Position

AARP supports policies at the state and local levels that encourage the design of “complete streets” enabling safe, comfortable, and convenient travel by automobile, foot, bicycle, and transit regardless of age or ability.

AARP supports legislation at the state and local levels that incorporates “visitability” and universal design features in new construction and retro-fitted family housing to enhance the independence of all residents. These include the following core features:

- Zero-step entrance
- One-story living
- Doorways with 36 inches of clear passage space
- At least a half bath on the main floor with adequate maneuvering room
- Light controls and thermostats at wheelchair level
- Reinforced bathroom walls for the option of grab bars
- Lever-style door handles and faucets





Kincare

Background

In New York, grandparents and other relatives care for nearly 400,000 children. Children live in these kinship families for the same reasons that children enter foster care. Grandparent and other relative caregivers must overcome numerous barriers, including enrolling children in school, getting medical care, accessing family rights, and obtaining necessary benefits.

Despite the challenges, numerous studies show that children raised in kinship families live in safer and more stable homes than children in non-relative care. For example, a 2008 Archives of Pediatric and Adolescent Medicine survey showed that children in kinship families have better outcomes than children in foster care.

Better outcomes for children have a direct impact on the well-being of local communities, decreasing the strain on local government agencies like courts, juvenile detention, rehabilitation, and health services. Kinship programs also save money for state and local governments. The statewide average cost of a child in non-specialized foster care is \$22,000 per year. The cost to the state of a child in kincare is currently only about \$500.

New York has made significant progress in reforming laws that affect kinship families. Since 2006, New York has provided some support via a \$2.15 million Kinship Program.



AARP Position

New York should continue to fully support kinship care because it provides better outcomes for children, keeps children out of foster care, and reduces costs to state and local governments.

AARP supports legislation to:

- Fully fund the state's Kinship Program and the statewide Kinship Navigator so that kinship families have necessary resources to enable them to access financial assistance, exercise family rights, and provide permanency and stability for children.
- Create a new option for permanent placement of children in kinship foster care. This option would take advantage of recent changes in federal law that permit subsidies to "relative guardians" who agree to care for children in foster care.
- Provide better guidance to courts in determining placements in kinship custodial procedures.



Federal Legislative Agenda

Today, our nation is facing serious challenges, but with these challenges comes enormous opportunity to make America a better place for all. Over the next two years, AARP will be working with the Administration and the U.S. Congress to reach common-sense, bipartisan solutions to America's most pressing national priorities.

Our first priority must be to make our economy work again and help Americans by adequately funding safety net programs, providing relief for retirees, and addressing the nation's housing crisis. But we can't fix our economy without fixing health care.

Our current health care system costs too much; makes too many mistakes; and returns too little value for our money. That's why AARP supports efforts to guarantee all Americans the choice of health care plans they can afford, improve the quality of care, and make prescription drugs more accessible. Providing economic relief for America, fixing our health care system, putting all Americans on the path to retirement security, and strengthening our communities—these are our priorities and we look forward to working with the Administration and Congress to achieve them.

Economic Crisis

We support economic stimulus to help all Americans by:

- **Protecting a Vital Safety Net:** Provide a temporary increase in federal funding for Medicaid, which provides health security for the most vulnerable Americans.
- **Helping Struggling Workers:** Extend unemployment benefits for those hardest hit by the economic crisis.
- **Addressing the Housing Crisis:** Allow bankruptcy judges to modify home loans as they do for other forms of securitized debt.
- **Fixing Our Health Care System:** Stimulate short- and long-term economic growth and lay the foundation for health care reform by bringing our nation's medical records online with a secure electronic records system.
- **Offering a Hand Up:** Provide temporary government assistance to help the millions of workers who have lost their health care purchase affordable coverage for themselves and their families.





- **Training for 21st Century Jobs:** Provide training and job search resources so that workers age 50+ who are losing their jobs can re-enter the workforce.
- **Improving Nutrition Assistance:** Increase funding for Food Stamps to help vulnerable Americans afford to feed their families.
- **Fixing and Balancing Our Infrastructure:** Repair existing roads and bridges; provide funding for public transportation vehicles; invest in “green” transportation modes, such as rail, pedestrian and bicycle facilities; and complete America’s streets so they will be safe and accessible for all.
- **Providing Housing Assistance:** Provide assistance to low-income families seeking rental housing.
- **Providing Energy Assistance:** Increase funding for the Weatherization Assistance Program (WAP) to help low-income households reduce energy consumption and lower utility bills.

We believe we must protect Americans who are facing or are on the brink of foreclosure, including nearly 700,000 age 50+ homeowners, by:

- **Modifying Primary Debt:** Enact legislation that would allow bankruptcy judges the discretion to modify primary mortgage debt.
- **Giving a Time Out:** Provide homeowners facing foreclosure with a temporary “time out,” which would allow them to negotiate a new loan using the Hope for Homeowners program or other refinancing options.
- **Accessing Equity:** Raise the home value limit to \$625,500 for the FHA’s Home Equity Conversion Mortgage (HECM) program, which provides older homeowners the option of tapping the equity in their homes to pay off mortgages that have become too costly.
- **Holding Banks Accountable:** Require banks receiving assistance from the Treasury Department to modify loans before foreclosing on struggling homeowners.
- **Stop Taxing Borrowers:** Remove disincentives in the current tax code for struggling homeowners who renegotiate their home mortgage loans.



Health Care

We believe that we can help ensure that all Americans have access to affordable, quality health care and make prescription drugs more accessible by:

- **Reducing Costs & Improving Quality:** Advance health information technology, evidence-based practices, chronic care coordination, and disease management and prevention; and provide greater consumer access to information on health care quality and costs.
- **Expanding Coverage:** Extend quality, affordable, health care coverage through Medicaid, private insurance reform, new incentives to expand coverage to the 50-64 age group, and expansion of children's coverage through the State Children's Health Insurance Program (SCHIP).
- **Strengthening Medicare:** Rationalize spending by rewarding quality rather than quantity of care provided by physicians and managed care, and provide protection against premium increases when addressing physician payment reform.
- **Permitting Biogenerics:** Create a much-needed pathway for approval of safe, generic biological products.
- **Providing Low-Income Assistance:** Eliminate, or liberalize, the Medicare Part D asset test.
- **Promoting Comparative Effectiveness Research:** Promote quality in the pharmaceutical marketplace through greater use of comparative effectiveness research.
- **Legalizing Importation:** Provide for the safe and legal importation of drugs, starting with drugs from Canada.
- **Negotiating Lower Costs:** Give Medicare—and the states—the authority to bargain for lower drug prices under Part D.

We believe we can ensure that individuals have the option to receive long-term care services and support in their homes and communities by:

- **Supporting Caregivers:** Provide comprehensive support for family caregivers, including assessing caregivers' own needs.
- **Providing Service & Financing Options:** Expand home- and community-based services and care coordination; improve quality; and expand options for public and private financing of services.





Retirement Security and Economic Recovery

We believe we must protect employee pensions and help provide all workers with the chance to save for retirement at work by:

- **Improving Defined Contribution Plans:** Promote reforms to lower fees and reduce the range of risks inherent to defined contribution plans.
- **Making Saving Simple:** Promote a universal payroll deduction mechanism that allows employees to automatically contribute a portion of their wages to retirement savings accounts, such as through automatic IRAs.
- **Helping Americans Save:** Improve savings incentives for modest income workers, such as an enhanced saver's tax credit.
- **Protecting Pensions:** Support employer-sponsored pension plans—a critical part of retirement security.

We believe that we must take steps to strengthen Social Security, the foundation of our retirement security system, by:

- **Enacting Solvency Legislation:** Reach a bipartisan agreement that will preserve Social Security's role as the guaranteed base of income security for current and future generations.
- **Ending the Disability Claim Backlog:** Secure adequate funding for the Social Security Administration in order to help reduce the disability backlog.

We believe we must expand and protect the rights of workers, with a special emphasis on those age 50+ by:

- **Increasing Job Opportunities for Older Workers:** Strengthen the Workforce Investment Act to provide improved services for older workers.
- **Promoting Fair Pay:** Enact the Lilly Ledbetter Fair Pay Act to prevent pay discrimination.



Strong Communities

We believe we must ensure that America's communities provide housing and transportation options that are accessible, safe, and affordable for people of all ages by:

- **Ensuring Affordable Housing:** Protect funding for federal housing programs, promote more affordable mortgage options, and generate state-level action on zoning restrictions and barriers to developing diverse housing options and increased mixed-use development.
- **Ensuring Mobility Options:** Pass transportation reform legislation that increases transportation choices, promotes safe mobility for all users, strengthens the connection between transportation and land use, and ensures public accountability and transparency in transportation funding and decision making.





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