

Senate Engrossed

family caregiver grant program

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

CHAPTER 180

SENATE BILL 1466

AN ACT

AMENDING SECTIONS 46-341 AND 46-342, ARIZONA REVISED STATUTES; AMENDING LAWS 2019, CHAPTER 270, SECTION 13; RELATING TO THE FAMILY CAREGIVER GRANT PROGRAM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 46-341, Arizona Revised Statutes, is amended to
3 read:

4 46-341. Definitions

5 In this article, unless the context otherwise requires:

6 1. "CARE COORDINATOR" OR "CASE MANAGER" MEANS A PERSON WHO PROVIDES
7 MEDICAL OR NONMEDICAL CASE MANAGEMENT SERVICE INCLUDING:

8 (a) SERVICES THAT ARE PROVIDED BY MANAGED CARE ORGANIZATIONS,
9 INSURANCE COMPANIES OR HOSPITALS.

10 (b) HOME AND COMMUNITY-BASED SERVICES THAT ARE PROVIDED THROUGH
11 AREA AGENCIES ON AGING, THE ARIZONA LONG-TERM CARE SYSTEM, HOME HEALTH
12 AGENCIES, HOSPICE OR SENIOR CENTERS.

13 ~~1.~~ 2. "Department" means the department of economic security.

14 ~~2.~~ 3. "Director" means the director of the department.

15 ~~3.~~ 4. "Qualifying expenses":

16 (a) Means those expenses that relate directly to caring for or
17 supporting a qualifying family member.

18 (b) Includes:

19 (i) Improving or altering the individual's OR THE QUALIFYING FAMILY
20 MEMBER'S primary residence, whether owned or rented by the individual OR
21 QUALIFYING FAMILY MEMBER, to enable or assist the qualifying family member
22 to be mobile, safe or independent. FOR THE PURPOSES OF THIS ITEM, PRIMARY
23 RESIDENCE DOES NOT INCLUDE A LONG-TERM CARE FACILITY OR ASSISTED LIVING
24 FACILITY.

25 (ii) Purchasing or leasing equipment or assistive care technology
26 to enable or assist the qualifying family member to carry out one or more
27 daily living activities.

28 (c) Does not include:

29 (i) Regular food, clothing or transportation expenses or gifts THAT
30 ARE provided to the qualifying family member.

31 (ii) Ordinary household maintenance or repairs that are not
32 directly related to and necessary for the care of the qualifying family
33 member.

34 (iii) Any amount that is paid or reimbursed by insurance or by the
35 federal government, this state or a political subdivision of this state.

36 ~~4.~~ 5. "Qualifying family member" means an individual who meets all
37 of the following requirements:

38 (a) Is at least eighteen years of age during the calendar year.

39 (b) Requires assistance with one or more activities of daily living
40 as certified by a physician who is licensed pursuant to title 32, chapter
41 13 or 17, a registered nurse practitioner who is licensed pursuant to
42 title 32, chapter 15, ~~or~~ a physician assistant who is licensed pursuant to
43 title 32, chapter 25, A SOCIAL WORKER WHO IS LICENSED PURSUANT TO TITLE
44 32, CHAPTER 33 OR A CASE MANAGER OR CARE COORDINATOR WHO IS CAPABLE OF
45 ASSESSING THE ACTIVITIES OF DAILY LIVING FOR THE QUALIFYING FAMILY MEMBER.

1 (c) Is the individual's spouse or the individual's or spouse's
2 child, grandchild, stepchild, parent, stepparent, grandparent, sibling,
3 uncle or aunt, whether of the whole or half blood or by adoption.

4 Sec. 2. Section 46-342, Arizona Revised Statutes, is amended to
5 read:

6 46-342. Family caregiver grant program; requirements

7 A. ~~Beginning January 1, 2020,~~ The family caregiver grant program is
8 established for individuals who have qualifying expenses during a calendar
9 year due to caring for and supporting a qualifying family member in the
10 individual's home OR THE QUALIFYING FAMILY MEMBER'S PRIMARY RESIDENCE.

11 B. To apply for a family caregiver grant:

12 1. An individual must submit an application to the department on a
13 form prescribed by the department.

14 2. THE INDIVIDUAL MUST be a resident of this state.

15 3. The individual's Arizona gross income, together with any Arizona
16 gross income of each qualifying family member, in the taxable year may not
17 exceed:

18 (a) \$75,000 in the case of a single person or a married person
19 filing separately.

20 (b) \$150,000 in the case of a married couple filing a joint return.

21 4. The individual must incur qualifying expenses during the
22 calendar year in which the individual applies for the grant for the care
23 of one or more qualifying family members.

24 5. The individual must submit with the claim for the grant the
25 qualifying family member's name and relationship to the individual.

26 C. The amount of the grant is equal to fifty percent of the
27 qualifying expenses incurred ~~during the calendar year in~~ FOR which the
28 individual applies for the grant but not more than \$1,000 for each
29 qualifying family member.

30 D. An individual who receives a grant under this section is not
31 eligible to apply for a grant under this section again ~~for three~~
32 ~~consecutive calendar years~~ AFTER THE INDIVIDUAL HAS RECEIVED \$1,000 FOR
33 EACH QUALIFYING FAMILY MEMBER.

34 E. The department shall certify applications for the grant on a
35 first-come, first-served basis. The department may not award grants under
36 this section that exceed in the aggregate \$500,000 for any calendar year.
37 The department shall include questions in the application to help the
38 department determine whether the grants that were provided delayed or
39 prevented a qualifying family member from entering a long-term care
40 facility or assisted living facility in the calendar year of the
41 application or future calendar years.

42 F. The department may use the advisory council on aging to provide
43 input on approval of applications for grants and whether an expense is a
44 qualifying expense or other issues relating to the grant program as
45 determined by the department.

1 Sec. 3. Laws 2019, chapter 270, section 13 is amended to read:

2 Sec. 13. Delayed repeal

3 Title 46, chapter 2, article 9, Arizona Revised Statutes, ~~as added~~
4 ~~by this act~~, is repealed from and after June 30, ~~2023~~ 2024.

5 Sec. 4. Family caregiver grants; qualifying family members

6 An individual who received a family caregiver grant pursuant to
7 section 46-342, Arizona Revised Statutes, as amended by this act, before
8 the effective date of this act may apply for additional grant monies if
9 the individual has not received grant monies totaling \$1,000 for each
10 qualifying family member.

APPROVED BY THE GOVERNOR APRIL 5, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 5, 2021.