

**From:** Justice in Aging <info@justiceinaging.org>  
**Sent:** Thursday, March 9, 2023 4:30 PM  
**To:** Clarke Ross  
**Subject:** HCBS Access Act Is Key to Eliminating Inequitable Gaps in Home Care

# JUSTICE IN AGING

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## FIGHTING SENIOR POVERTY THROUGH LAW

**Justice in Aging is proud to endorse the HCBS Access Act, a bill that will bring fairness and equity to our nation's support system for older adults and people with disabilities.** Today, millions of low-income older adults are living in nursing facilities when they could, and want, to be at home. This injustice is due to decades of underfunding for home and community-based services (HCBS) and bias in federal Medicaid law. The HCBS Access Act would end the unfair policies that limit HCBS and provide everyone with Medicaid, regardless of age, race, disability, or where they live, the true choice to age at home.

The gaps in older adults' access to home-based care are widespread and deeper in certain states and for people of color, LGBTQ+ older adults, and people with dementia. [Half of states spend twice as much on institutional care as on HCBS for older adults and people with physical disabilities.](#) And while the number of individuals living in nursing homes has decreased over the last few decades, that decrease has been primarily among white older adults. Meanwhile, older adults of color living in nursing homes has increased partly due to unequal access to HCBS. LGBTQ+ older adults are more likely to live alone, making them more reliant on paid caregiving, and have higher rates of poverty, putting them at greater risk of institutionalization when Medicaid HCBS is capped. Older adults with dementia, a disease that disproportionately affects Black and Latino populations, experience the starkest inequities in home-based care: at age

80, 75% of people with dementia live in nursing homes compared to 4% of the general population.

**The HCBS Access Act would make necessary changes to address these gaps. Specifically, it would:**

- require state Medicaid programs to provide HCBS in the same way they are required to provide nursing facility services
- increase federal funding for HCBS
- end cumbersome HCBS waivers, enrollment caps, and waiting lists
- require states to measure and address racial and other disparities in HCBS access
- improve the quality and scope of HCBS
- make permanent programs that help people stay in their homes and return to community living if they are institutionalized
- invest in the direct care workforce
- support family caregivers

Bold action and big change are necessary to fix a system that is fundamentally unfair. We thank Senators Casey, Hassan, Brown, and Kaine and Representative Dingell for taking this bold action to propose the big change older adults need to have equitable access to home-based care.

**[Read more about the HCBS Access Act and Justice in Aging's priorities for increasing equitable access to home-based care.](#)**

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