

By: Senator(s) Bryan, Simmons (13th)

To: Public Health and
Welfare

SENATE BILL NO. 2698

1 AN ACT TO AMEND SECTION 43-63-7, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE OPERATING PERIOD OF THE MISSISSIPPI DEMENTIA CARE
3 PROGRAM; TO BRING FORWARD SECTIONS 43-63-1, 43-63-3 AND 43-63-5,
4 MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT;
5 AND FOR RELATED PURPOSES.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

7 **SECTION 1.** Section 43-63-7, Mississippi Code of 1972, is
8 amended as follows:

9 43-63-7. (1) Subject to the appropriation of federal funds
10 for that purpose, there is established within the Department of
11 Human Services a pilot program known as the "Mississippi Dementia
12 Care Program" for the purpose of providing respite care services
13 to informal caregivers of persons with Alzheimer's disease or
14 related dementia. The pilot program shall use existing respite
15 care services infrastructure and selected fiscal agent to carry
16 out the operations of the program. The State Department of Mental
17 Health, the State Department of Health and the University of
18 Mississippi Medical Center shall cooperate with and provide
19 assistance to the Department of Human Services in the



20 establishment and operation of the program and in seeking to
21 obtain federal funds for the program.

22 (2) The Mississippi Dementia Care Program shall:

23 (a) Be operated for a period * * * beginning on July 1,
24 2022, and continuing through July 1, * * * 2029;

25 (b) Begin enrolling participating individuals
26 immediately upon beginning of the program; and

27 (c) Actively serve not more than sixty (60) enrollees
28 for the first year of operation, and maintain this number of
29 enrollees for the second and third year of operation.

30 (3) To receive assistance from the Mississippi Dementia Care
31 program, the family unit must be assessed according to the
32 guidelines developed by the department to determine the need for
33 respite care services. This assessment must determine, at a
34 minimum, that:

35 (a) The family unit is unable to pay for respite care
36 without jeopardizing other basic needs, including, but not limited
37 to, food, shelter and medications; and

38 (b) The homebound person with Alzheimer's disease or
39 related dementia for whom the family unit is caring is sixty (60)
40 years of age or older, requires assistance to remain in the home,
41 and, without this assistance, would need to move to an assisted
42 living facility or a nursing facility.

43 (4) The Department of Human Services shall promulgate rules
44 and regulations to effectuate the purposes of this chapter.



(5) The executive director of the department shall submit a report to the Legislature on or before January 1, 2023, and on or before January 1st of each year thereafter until the end of the pilot program period. The report shall include, but is not limited to, the following information:

- (a) Total spent on program funding;
- (b) The amount of administrative costs to operate the program;
- (c) The number of individuals and informal caregivers served by the program;
- (d) The income ranges of the individuals and informal caregivers participating in this program; and
- (e) The efficacy of the assistance program.

(6) This section does not create an entitlement to respite care services through the provisions of this program, and the services provided and the number of individuals served are subject to appropriations of federal funds for that purpose.

SECTION 2. Section 43-63-1, Mississippi Code of 1972, is brought forward as follows:

43-63-1. This chapter shall be known and may be cited as the "Jimmy Kaigler Alzheimer's Support Act." James Street "Jimmy" Kaigler was born and raised in Clarksdale, Mississippi, and was a graduate of the University of Mississippi. Kaigler served as a Captain in the United States Air Force from 1966 to 1972. Following his tour in Vietnam, Captain Kaigler was awarded the



Bronze Star for meritorious service. Kaigler later worked as President and CEO of Memorial Hospital in Gulfport. This chapter shall serve as testament to Captain Kaigler's life as well as a tribute to the loving care provided by his wife and family.

SECTION 3. Section 43-63-3, Mississippi Code of 1972, is brought forward as follows:

43-63-3. (1) The Legislature finds that:

(a) Families caring for a loved one with Alzheimer's disease or a related dementia at home are often burdened with excessive financial or personal costs of providing continuous care;

(b) Medicare does not pay for long-term care or provide support to family caregivers;

(c) Long-term care insurance is costly and may not be affordable to low-and-middle income families and may not cover essential services for the length of time needed for an Alzheimer's patient; and

(d) Providing respite care services to those with Alzheimer's may delay or supplant the need for transfer to a long-term skilled nursing facility, allowing for the individual with Alzheimer's to remain in his or her home environment.

SECTION 4. Section 43-63-5, Mississippi Code of 1972, is brought forward as follows:

43-63-5. As used in this chapter, the following terms shall be defined as provided in this section:



95 (a) "Alzheimer's disease" or "related dementia" means
96 the diseases and conditions characterized by a decline in memory,
97 language, problem-solving and other thinking skills that affect a
98 person's ability to perform everyday activities.

99 (b) "Mississippi Dementia Care Program" means the
100 Alzheimer's or related dementia pilot program created in this
101 chapter.

102 (c) "Informal caregiver" means any spouse, adult child,
103 relative or friend who provides unpaid assistance to an individual
104 living in the community who suffers from Alzheimer's or other
105 related dementia.

106 (d) "Respite care" means temporary, substitute support
107 or living arrangements to provide a brief period of relief or rest
108 for informal caregivers. Respite care may include in-home care by
109 appropriately trained individuals, or care in an adult day care or
110 assisted living or nursing home setting, for an intermittent,
111 occasional or emergency basis.

112 **SECTION 5.** This act shall take effect and be in force from
113 and after June 30, 2025.

