



Well-Being Insurance for Seniors to be at Home (WISH) Act
Congressman Thomas R. Suozzi (NY-03)

Section-by-Section Summary

Section 1. Short Title.

Section 2. Findings; Purpose.

Section 3. Long-Term Care Insurance Benefits.

- Amends Title II of the *Social Security Act* to provide long-term care insurance benefits to individuals who:
 1. Have attained retirement age
 2. Have applied for long-term care insurance benefits
 3. Have contributed to the Federal Long-Term Care Insurance Trust Fund (“Trust Fund”) for at least 6 quarters (Full benefits will go to individuals who have contributed for at least 40 quarters; Partial benefits will go to individuals who have contributed for at least 6 quarters)
 4. Are unable to perform at least 2 activities of daily living or have severe cognitive impairment
 5. Are expected to have the disability for at least 1 year or until death
 6. Have completed a waiting period after the onset of the disability (See below)
- Sets the full long-term care insurance benefit as a cash amount equal to the estimated median cost of 6 hours per day of paid personal assistance (Likely to be roughly \$3,600 per month)
- Specifies a waiting period that individuals must complete after the onset of disability prior to receiving long-term care insurance benefits:
 - For individuals with average monthly earnings up to the 40th percentile while contributing to the Trust Fund, the waiting period shall be 12 months
 - 1 month shall be added to the waiting period for each 1.25 percentiles an individual’s average monthly earnings are above the 40th percentile (Thus, the 50th percentile worker would have a waiting period of 1 year and 8 months and the 100th percentile worker would have a waiting period of 5 years)
- Requires the Commissioner of Social Security to provide eligible individuals with information on how to obtain long-term care and an explanation of benefits
- Specifies that long-term care insurance benefits do not affect eligibility for other benefits or assistance financed with Federal funds
- Specifies that long-term care insurance beneficiaries who hire a non-family member to provide personal care must comply with all State and Federal laws relating to payment of the minimum wage and withholding of employment-related taxes
- Specifies that long-term care insurance beneficiaries must submit an annual statement to the Commissioner of Social Security affirming that they remain eligible for benefits

Section 4. Establishment of Federal Long-Term Care Insurance Trust Fund.

- Creates a new Federal Long-Term Care Insurance Trust Fund (“Trust Fund”)
- Makes the following appropriations to the Trust Fund, which shall be repaid within 10 years:
 - \$12 million in fiscal years 2022, 2023, and 2024 for initial establishment and payment of benefits
 - \$50 million for public education related to long-term care (See Section 6)
- Also appropriates to the Trust Fund 100% of new taxes imposed (See Section 5)
- Provides the Managing Trustee of the Trust Fund with the discretion to invest a portion of funds in appropriate market securities as he or she considers prudent
- Requires the Board of Trustees of the Trust Fund to submit to Congress within 5 years and every 5 years thereafter a report that evaluates the impact of long-term care insurance benefits and makes recommendations related to potential geographical adjustments for benefits

Section 5. Internal Revenue Code Provisions.

- Imposes the following additional taxes:
 - An additional tax on individuals equal to 0.3% of wages received
 - An additional tax on employers equal to 0.3% of wages paid
 - An additional tax on self-employment income equal to 0.6%
- Specifies that long-term care insurance benefits shall not count as taxable income

Section 6. Education and Outreach.

- Requires the Secretary of Health and Human Services, in consultation with the Commissioner of Social Security, to publish within 90 days a 10-year plan to educate the public about:
 - The likelihood of needing long-term care
 - The nature of the experience of long-term care in various institutions
 - The costs of long-term care
 - The availability of long-term care insurance benefits
 - The importance of planning and considering private insurance coverage alongside family support and savings (especially during the first years of a serious disability)
- Requires the Commissioner of Social Security to provide individuals with information by mail and online about their waiting periods and eligibility for long-term care insurance benefits

Section 7. GAO Report on Performance of the WISH Program.

- Requires the Comptroller General to submit to Congress within 5 years and every 3 years thereafter a report that includes information on:
 - The likelihood of manipulation of eligibility criteria, and recommendations for possible remedies
 - The likelihood of exploitation or mistreatment of elders, and recommendations for possible remedies
 - Consumer understanding of long-term care insurance offerings, and recommendations for improving it

Section 8. Report on Remaining Long-Term Supports and Services Needs.

- Requires the Secretary of Health and Human Services, acting through the Administrator of the Administration on Community Living and in consultation with the Commissioner of Social Security, to submit to Congress within 3 years and every 3 years thereafter a report that includes:
 - Estimates of long-term supports and services needed by individuals not eligible for benefits under this bill
 - Proposed strategies and estimated costs for providing benefits for these ineligible individuals