

# WASHINGTON STATE COUNCIL ON AGING

**April 28, 2015**

## STATE COUNCIL ON AGING MEETING MINUTES

### ATTENDANCE

|                         |  |
|-------------------------|--|
| <b>Members Present:</b> | Kathleen Miller, Joanne Levine, Ron Bacon, Helen Spencer, Suzanne Holmes, Ron Vivion, Barry Lamont, Gail Hiestand, Aruna Bhuta, Marilyn Vogler, Carl Bender, Courtney Jaren, Javier Figueroa, Phillip Lemley, Cheryl Townsend Winter |
| <b>Members Absent:</b>  | Diane Snell, Rep. Linda Kochmar, Sen .Karen Keiser, Rep. Sherry Appleton, Paul Malinski  |
| <b>Guests:</b>          | Cathy Knight-W4A, Walt Bowen-Senior Lobby, Roy Walker O3A  |
| <b>ALTSA Staff:</b>     | Rosemary Biggins SUA, Bea Rector Director Home & Community Services ALTSA  |

| ACTION ITEMS LIST  | WHO          | DEADLINE/DUE DATE           |
|--|--------------|-----------------------------|
| <b>Meeting Date: April 28, 2015</b>  |              |                             |
| 1. Send Letter to Legislative Leaders requesting funding for Case management, Long Term Care Financing Study, Health Homes and support for JLEC ADS; Send letter to Governor re: above | Ron/Barry    | May 2                       |
| 2. Email current Elder Index data report   | Cathy Knight | When published              |
| 3. Continue to monitor legislature during special session  | All          | On going                    |
| 4. Older Americans Act LTE to be sent by Council members   | All          | 1 <sup>st</sup> week of May |
| 5. Question about rural area needs and state Alzheimer's plan  | All          | May 5 <sup>th</sup>         |
| 6. Finalize council members' media contacts lists by geography.  | R. Biggins   | a.s.a.p.                    |

### WELCOME, REMARKS, AND Introductions

Barry Lamont welcomed members and requested all briefly introduce themselves; the agenda and previous meeting minutes were reviewed and approved. Action items were reviewed. All items met with exception to finalizing media list for Older Americans Act Month.

Barry announced that Stuart Meier has resigned from the Council to focus on health recovery. Pierce County AAA Advisory Board will address need to fill vacancy

Excellence in Action awards

Excellence in Action awards- information sent to AAA's , to meet deadline Barry sent to 4 of the AAA's., some questions about commitment to award, June 30th is deadline for submissions and the Council will review scored submissions at the august meeting

Gail Hiestand suggested members' visiting nominated organizations if possible

### **SENIOR LOBBY UPDATE – WALT BOWEN**

Special session called by Governor, starts 4/29. Hearing schedule is day to day, they didn't pass budget so that's what they're working on-sticking points: senate is telling house you have to come up with a list of all revenue packages-house is saying senate and house needs to finalize budget to see what revenue is needed.

Operating budget and transportation budgets both need to be passed

JLEC for ADS bill still pending, still working it out, however it's in the budget so will be budget proviso

Shirley Bondon will present on guardianship issues at the next Senior Lobby meeting

There is one bill passed that will allow County Clerks to provide training about guardianship

JLEC on ADS (if passed) will address guardianship/

There is continued disagreement around carbon tax, cap and trade & capital gains tax

Teacher stoppages going on statewide to put pressure on legislature

Discussed what a budget proviso is; can be put in to fund something without a bill, usually a study and usually not a controversial issue.

The Attorney General (AG) will be submitting a report to the Supreme Court on the progress the legislature has made on complying with the McCleary decision

Yesterday the AG sent a letter to the court that the work is not completed and legislature is continuing to work to address

Discussed predatory payday lending issue and associated attempts at legislation

General discussion ensued about gas tax and policy proposals for how it's used, e.g. for transportation projects only

W4A report

Pre-Medicaid package is not in budget on house or senate side

Refreshed members on components of the packaged

Discussed the case management funding and workgroup associated with determining what case management functions are viable in light of funding realities

Discussed status of Health Homes-HCA had intended to have line item to fund during transition from 90% federal funding- it's currently not in budget

Status of Older Americans Act reauthorization discussed

Reviewed recent N4A letter to Congress –copies distributed

### **Oregon Attorney General (OR AG) Proposal for Special Prosecutor General Discussion**

This topic came to the attention of some members via a media article shared on the Governor's Commission on Disability and Employment (GCDE) list serve. Subsequently the Chair put on the agenda as a discussion topic to explore for potential further action and information directly from the OR AG office was shared with members <http://www.doj.state.or.us/releases/Pages/2015/rel033015.aspx>

Barry Lamont referenced the WA Pre White House Conference on Aging October meeting elder abuse prevention discussion around need to improve knowledge at county prosecutor level- Barry suggested council explore if the approach by the OR AG is something we may want to look into more closely

Aruna Bhuta discussed the continuing increase of incidents of financial exploitation as serious area to address and need for training

Courtney Jaren suggested that the need for more APS staff may need to take precedent over training, discussed a recent example of financial exploitation that escalated

Barry discussed resource issues at local level

Helen discussed hope that OR would include funding for prosecutors at the county level in addition to funding the Special prosecutor

Ron Bacon- suggested focus on pre-Medicaid supports as one strategy to address issues before they escalate

Marilyn Vogler brought up suggestion that it's important to consider the unintended implications of passing laws that can be vulnerable to overzealous prosecution

Walt Bowen shared that at the regional WHCoA meeting there was discussion about the importance of focusing on prevention across the spectrum children through elders

Gail discussed strategy to get elder abuse on the domestic violence spectrum

Courtney suggested the AARP Fraud and Prevention work would be beneficial for presentation to the State Council

Barry- suggested he OR AG approach is something the council may consider for future partnership

Javier stated that he would want to see the specificity of legislation before endorsing anything

Cheryl clarified how State Council works in partnership with other groups

Reference note Partners supporting the OR AG legislative request for the new position are: *Elders in Action, the Office of the Long-term Care Ombudsman, AARP, Legal Aid Services of Oregon, the Oregon State Bar, Alzheimer's Association, the Oregon Department of Veteran Affairs, the Governor's Commission on Senior Services, Campaign for Oregon's Seniors & People with Disabilities, and the Residential Facilities Advisory Committee*

## **Legislative Committee Update Ron Vivion and Council Members**

Briefly discussed the State Treasurer's recent proposal for state income tax

Bill Status:

Of positions the Council has taken, several bills have passed and made it to the Governor

- Changing language in RCW to address definitions and terms used to describe forms of restraint and other terms related to abuse has passed
- removing expirations dates for small class of caregivers re: training passed
- small business retirement study has passed (AARP)
- both budgets have position for JLEC ADS
- LTC financing study- that did not get approved bill, however is in both budgets

Silver alert bill- sitting on senate's concurrence calendar, probable is not moving this year. Rep Appleton is requesting the speaker to reintroduce

HB 1499 –addressing standards of prosecutorial discretion and revising penalties for some forms of criminal mistreatment and levels of theft crimes did not get out of house

The bill addressing hospital patients in observation status, passed the house but did not get out of senate

Ron participates in age wave coalition Aging Caucus and Senior Lobby- has learned a lot about the legislature. Believes members' voice does matter & encourages members to personally get involved in the process

Recommends that members focus on relating to legislators after session to continue to advocate

Currently monumental discussions are going on about what gets funded

Discussed CFCO implementation and concern about 'benefits' not coming back to be reinvested in the program.

Aruna commented that it's important to educate ourselves about how come the observation status legislation didn't pass--

## **Update and Discussion on State Council current areas of focus**

### Alzheimers Working Group- Cheryl Townsend Winter

Alzheimer's state plan- discussed subcommittee work leading to development of Alzheimer's disease state plan-in process.

### Transportation – Joanne Levine

The legislation is working its way through- have been following transportation committee from Senior Lobby as well as other advocate groups. Discussion ensued about proposals to fund transportation

### Community First Choice Options (CFCO) - Aruna Bhuta

Replacing MPC; will be additional 6% match, roll out date is July 2015, everything is moving forward

The CFCO webpage can be located here: <https://www.dshs.wa.gov/altsa/stakeholders/community-first-choice-option>

## Guardianships –Barry Lamont

Legislation to address guardianship issue with families didn't pass

Gail Hiestand volunteered to work with Walt Bowen on the WINGS grant

## WHCoA Seattle meeting

There will be DC meeting but not delegate organization. Will be a much smaller meeting than in the past

Reviewed the Seattle meeting- speakers in AM/ than expert panels in the PM

## **State Council Committee Reports**

### Research Committee

During the past 18 months, the Research Committee has taken on transportation as an issue to explore and share information with Council members to educate them about pertinent issues

Looking forward to the next year is there an issue area that the Council would like the research committee to focus on? Currently public guardianship has been offered as a suggestion

Helen expressed concern that transportation continue to be followed & that there is a lot of information/groups working on guardianship issue.

Joanne clarified that the Research Committee took on transportation in order to educate Council members. The Council will still continue to follow transportation; however, the suggestion is the Research Committee has performed its research function

Carl suggested the idea of developing of Power point about transportation

Cheryl suggested developing a Power point about guardianship issues

Ron asked about intersect of elder justice and guardianship

Discussion ensued about the topic of guardianship

Courtney recommended looking at Oregon public guardian

### Legislative Committee

Ron asked members to review the information on [www.waseniorlobby.org](http://www.waseniorlobby.org)

Javier suggested briefing papers for positions on legislative issues

Public Awareness/Outreach Committee

Carl discussed repository documents and process

Cheryl discussed development of a power point presentation on the Alzheimer's state plan

Carl suggested we start work on what is external conduit into community for repository items.

Also any other committee that would like assistance editing a presentation public awareness

The committee developed a press release and letter to the editor for Older Americans Month that is currently posted on the Council website

Executive Committee-

Discussed transitioning to conference calls

Suzanne described current communication among the committee

### **State Alzheimer's Disease Working Group**

Cheryl provided a brief update on process of the State Plan development

The Working Group is looking for input about rural needs. Rosemary will send an email with Cheryl's question(s) along with a request to provide responses.

### **AL TSA update – Bea Rector, Director HCS/AL TSA**

Discussed status of case management decision for King County Aging and Disability Services (ADS AAA)

The City had indicated that without additional funding for case management they would not be able to continue to provide the service. The Governor's budget and the senate and house budget are providing a proposed increase of 10 million (original DSHS request was 28 million)...

ADS AAA is meeting with mayor, asking given additional funding is there willingness to continue with case management? In the meantime still contingency planning at DSHS for alternative case management.

Bea described how planning service areas (PSA) work. Every AAA has a sponsor, in King there are three- King, United Way and City of Seattle. Seattle is the employer of record.

Courtney asked about hearing about cuts to senior I & A?

Senior I/A is primarily funded through AAA's, through Area planning process, they have some autonomy with discretionary funding, not currently aware, but something may be happening.

Aruna- asked about the 10.4 million and if it would be adequate statewide

Gail asked about reason for case management issue- is it liability?

Bea shared that the issue is that City is subsidizing case management; only 40% of those receiving the service live in the city, so there's concern about the city paying for county and not being able to continue to subsidize other areas

Liability is also issue because of the limited resource of case management available

State controls state employee costs but cannot control vendor employee decisions

This is happening in climate of budget constraints

A Request for Information (RFI) is going out in May regardless of outcome of the city's decision

There are contingencies for transition, correlated from timing of ADS decision- ADS has to stay longer if decision process is extended

State would do case management for this group if necessary

Bea explained policies in place required for case management

1:62 ratio is currently at 1:78 with funding increase from legislature it would be around 1:72

We have federal required components but we require more than that so looking at will we have to reduce some of these requirements given size of caseload? We have to deal with the reality that there is consequence on services due to lack of funding. We need to be clear about what can be done with the amount of funding received.

Gail made the point that we're talking about a group of people who meet nursing home eligibility

Walt Bowen asked for info on nursing home rates.

Bea shared that rates are not based on acuity or quality of care and it's time to change the way nursing homes are paid. The fee should provide a basic structure for operation, reward more for acuity and reward outcomes, for example good skin condition.

## Elder Justice

For next legislative session we have to figure out what department is going to advance, what other groups, and the state council may want to be involved in

There are many areas, e.g. guardianship, substitute decision making, adult protective services, etc.

Does the Council in partnership with DSHS want to put on some type of symposium about elder justice in local communities?

There is a lot of support in the legislature for Elder Justice Issues.

Barry shared that the Council interested in exploring what areas to focus on and support

Bea- thinks a significant issue going on right now is the APS registry- currently the same yard stick for all- we have a subcommittee working on this

Ron asked for suggestions for advocacy with current budget process

Suggest advocating for budget items versus house or senate budget

Stick to merits of program, what benefit is, what consequence is,

Aruna asked about policy ask for APS workers—Bea responded that it's not in either budget, however we are benefiting for maintenance level which is now adjusted on a technical basis (5 year). However the ask was for focus on forensic investigation of financial exploitation.

Kathy Miller brought up closing of Chelan nursing home, physical plant issues, etc and move to Wenatchee

Bea responded that this is an involved discussion- should we look at way to have it at future meeting with involved player? Are there new models we need to explore? It looks like there will be a workgroup (stakeholder) to look at a new rate methodology- suggestion that State Council appoint someone.

## **Other Updates and Member Comments**

Cathy Knight provided additional information on the status of Older Americans Act Reauthorization

Ron recommended the Council take formal action and send correspondence to Legislators about Council advice on the budget with focus on case management, JLEC ADS, long term care financing study and funding for health homes. A motion was made to approve, seconded and passed

Suzanne Holmes will send a note of appreciation to Stuart on behalf of the Council,

Action Items (see page one) were reviewed by Suzanne Holmes

### **PUBLIC COMMENTS**

None

### **ADJOURNMENT**

The Chair adjourned the meeting