

WASHINGTON STATE COUNCIL ON AGING

AUGUST 25, 2015

STATE COUNCIL ON AGING MEETING MINUTES

ATTENDANCE

Members Present:	Kathleen Miller, Joanne Levine, , Helen Spencer, Suzanne Holmes , Aruna Bhuta, Marilyn Vogler, Carl Bender, Phillip Lemley, Cheryl Townsend Winter, Diane Snell, Javier Figueroa, Gail Hiestand, Rep. Linda Kochmar , Rep. Sherry Appleton, Ron Vivion, Patricia McIntyre
Members Absent:	Sen .Karen Keiser, Barry Lamont, Courtney Jaren, Ron Bacon, Paul Malinski
Guests:	Susie Starrfield,-W4A, David Lord-DRW. Peggy Moxley
AL TSA Staff:	Rosemary Biggins, Bea Rector

ACTION ITEMS LIST	WHO	DEADLINE/DUE DATE
Meeting Date: August 25, 2015		
1. Resend Nominations to Ad-Hoc Committee	Rosemary	DONE
2. Get example Power Point presents on guardianship from W. Bowen.	Marilyn	Near future
3. Preliminary look at CCRC	Research Committee	September meeting
4. Members will forward suggestions about Council legislative priorities to Ron and will also let him know if they want to volunteer for the Legislative	All	Near future.
5. Draft Council meeting schedule for 2016	Rosemary	September meeting
6. Helen and Marilyn will forward documents used in presentations today so they can be attached to the meeting minute distribution	Helen & Marilyn	Near future
1. AL TSA will send notice /organize registration for the October meetings	Melanie	Near future

Welcome, Remarks, and Introductions

Cheryl Townsend Winter served as Chairperson and welcomed new members Patricia McIntyre representing Pierce County and Peggy Moxley who will represent AACWA starting in September. The agenda and previous meeting minutes were reviewed and approved. Action items were reviewed. Items requiring additional follow up: Walt Bowen will forward resources for development of a PowerPoint presentation on guardianship and the presentation will be completed

Partner Updates

AARP Update- Cathy McCaul

We received word that United Way of King County is planning on cutting \$2,000,000 to senior programs in King. This will include a substantial cut in funds for Senior Services of King County

United Way of King County has significant philanthropic influence; very concerned that it will set a precedent- many community groups across the state rely on United Way funding

Cathy will have a discussion with United Way in the near future

Ron Vivion shared that United Way has indicated they will shift to more of a youth oriented focus; they aren't generating the same income as in past years. Snohomish County United Way is engaged in a collective input process, there focusing on the cycle of poverty which may lend itself to more youth focus

Marilyn Volger commented on discussions related to homelessness and funding

Suzanne Holmes discussed some United Way related issues in her area, and some questions about shift of directions focused on need for work to be done differently

Cathy distributed a handout on the AARP CARE Act (Caregiver Advise Record, Enable)

The [CARE Act](#) features three important parts:

- The name of the family caregiver is recorded when a loved one is admitted into a hospital or rehabilitation facility.
- The family caregiver is notified if the loved one is to be discharged to another facility or back home.

- The hospital or rehabilitation facility must provide an explanation and live instruction of the medical tasks – such as medication management, injections, wound care and transfers – that the family caregiver will perform at home.

A caregiver that would be assigned when someone hospitalized; the hospital would provide training to the caregiver to assist person with post discharge needs. The act is targeted at avoiding unnecessary re-hospitalization.

Aruna Bhuta suggested the training needs to be focused on individualized needs of the person-

Phillip Lemley asked who would fund the program- Cathy indicated that hospitals would fund the training with intention of saving money by avoiding fines associated with readmissions

W4A Update –Susie Starrfield

One thing of concern to AAA's is the defunding of the Health Home program--where a health care manager is assigned to coordinate needs from in-home. This is a model that is going to end because there was no money put into the budget. We'll need to send notification to people soon that the program will end. AAA's would like to extend the program to next June in order to demonstrate Medicaid savings--NWRC SW and SE will be impacted by program discontinuation

During the next legislative session W4A will continue to advocate for additional case management funding to lower ratios and to also increase family caregiver funding

Senior Lobby Update – Walt Bowen

The 26th annual fall conference is scheduled for October 28th. This year there is a change to scheduling, with the W4A /WASCOA meeting day before. The legislative reception will be held evening of the 28th

The focus this year is the 2015 White House Conference on Aging and related issues that were covered.

A new bill that passed this past legislative session provides for a property tax exemption for veterans and seniors who meet established eligibility criteria

Next month is National Senior Center month and also Fall Prevention month.

Senior Lobby continues to keep an eye on the wildfire situation and impact on seniors

There is controversy over funding that was not allocated in the amount the Department of Natural Resources(DNR) requested of the legislature for DNR to fight fires

A recent McCleary ruling resulted in the Supreme Court fining the state \$100,000 a day for failing to adequately fund basic education,

There are also concerns remaining about the adequacy of funding for Mental Health.

All of this could affect adequacy of funding for aging and disability services

Guardianship Issues Discussion- David Lord, Disability Rights Washington

Disability Rights Washington (DRW) is the state designated Protection and Advocacy System and was created as result of congressional action about 40 hours ago. Each state has a P&A System.

DRW has authority to go to residences and prisons where people with disabilities and/o mental health support needs reside

The highest rates of disabilities are among seniors.

DRW services free. They have a website with information and also call line. DRW also does class action litigation on behalf of people with disabilities

Funding comes from the federal government- they also receive private grant funding

The primary scope of services for people w/ disabilities is focused on advocacy needs related to rights; most of what they do is focused on systemic impact

One example in our state is people with mental health needs sitting in jail for months waiting for competency evaluations because the state doesn't have enough evaluators or hospital beds

As a result DRW filed a class action lawsuit and also communicated issue to legislature

DRW has offices in Seattle and Spokane

David distributed a Power Point- Hot Topics in Guardianship (please refer to handout)

The presentation was focused around six questions

1. Is the guardianship complaint process working
2. Do guardians have too much authority?
3. Should we monitor guardianships and guardians more closely?
4. Are we asking too much-or not enough-of family guardians?(usually guardian is family)
5. How can we meet the challenge of the Age Wave?
6. How do we balance preservation of autonomy and protection from harm when supporting people who need help with decision making?

Members and David engaged in the following

Discussing what are necessary mechanisms to protect person from exploitation from guardian with the recognition that there are also scenarios where guardian needed to protect from exploitation by family members

Discussing the skill needs associated with guardian ad litem's and guardians

Discussing the need to increase public awareness about guardianship. Currently there are volunteers, e.g. Meals on Wheels and EMT's who have been trained to identify concerns but there are very limited resources to do this gatekeeping work. Is there any possibility for a community based volunteer response?

Discussing concerns about abuse of Durable Power of Attorney

Noting isolation of an individual as a red flag

Noting that currently the state does not have a formal mechanism for supported decision making.

One approach may be to consider if person is in the place to make informed health care decisions. Could an ad litem be a better approach? Are there other less restrictive alternatives?

Discussing the potential conflict of interest of providers and person controlling paying for services

Discussing that the Office of the Public Guardian does not receive adequate funding & in fact are losing funding.

Representative Kochmar shared that she is interested in sponsoring a bill (responding to issues in district that apply statewide) to address scenarios where children are not allowed

to visit their elderly parent (e.g. new spouse prohibits it)-Any bill should have funding mechanism- already sent a draft to an Elder Bar for review. Rep. Kochmar also requested assistance from Council members and David.

She also shared a story about a caregiver who got a person to marry him and progressively drained account and the family was not aware

WASCOA/W4A Fall Conference

Susie Starrfield reviewed the second draft agenda developed with Cheryl based on feedback from the WASCOA June meeting. (please refer to handout)

The conference objectives are to:

1. Provide advocates information & direction for 2016 legislative session
2. Help advocates identify personal advocacy goals
3. Provide opportunities to network with counterparts

The plan is for Dennis Mahar to outline the prior day issues identified

The round table discussion topic areas will be based on:

1. priorities identified an Senior Lobby meeting the previous day,
2. WHCoA recommendations and future policy needs,
3. Preserving our nationally recognized Long Term Supports and Services
4. Retirement Security and the Elder Economic Security Index

There will also be a presentation on creative ideas from the State's Alzheimer's disease Plan by Cheryl Townsend Winter, Maureen Linehan and Lynne Korte.

During lunch attendees will be asked to review all round table group priorities identified during the morning discussions

In the afternoon the full group will be convened and priorities will be identified for 2016 and beyond

Guardianship Presentation - Helen Spencer

Helen provided a detailed and thorough presentation on guardianship and essential elements, she also covered durable power of attorney and.....

The following three documents were distributed and should be referenced:

WASCOA Focus Area Updates

WINGS Conference- Marilyn Vogler

Marilyn presented on the recent WINGS conference held earlier this month. There were a large number of people with disabilities and lay guardians. The conference resulted in developing a list of priority tasks to be implemented-please refer to related handout. Additional teleconferences and meetings are being scheduled.

Shirley Bondon has requested that people interested in concepts related to supported decision making participate in planned discussion. Please let Marilyn know if you are interested.

Community First Choice Option Report - Aruna Bhuta

CMS has approved CFCO. Training has been conducted and roll out has begun - in the fall

Alzheimer's State Plan- Cheryl Townsend Winter

The draft will be posted in the next couple weeks for public comment

Transportation- Joanne Levine

Joanne was invited by Governor's office to participate in two conference calls with the Governor and other transit/transportation advocates.

The conversations related to the recently enacted transportation investment package that included the so-called poison pill. That proviso would have moved about \$2 billion in funding from multi-modal projects to an unappropriated account if the governor moved ahead with a clean fuel standard. The governor subsequently decided not to pursue the clean fuel standard at this time and asked the Department of Ecology to develop emission reduction requirements using existing authority

The Council needs to consider next steps to look at how that funding will be allocated out to meet transit and transportation needs of concern to the Council.

Cheryl commented on significance of Council being at the table for this discussion and the associated responsibility that accompanies that.

Officer Nominations

Kathleen presented the slate for officer candidates and opened the opportunity for nominations from the floor- there were none. The following slate was approved with unanimous support: Barry Lamont, Chairperson; Cheryl Townsend Winter, Vice Chairperson; Suzanne Holmes, Secretary. The election will take place at the September meeting

State Council Priority Planning for coming year and legislative session

Ron Vivion facilitated discussion focused on preliminary planning for Council legislative priorities for the coming year. Ron reviewed each 2015 legislative priority and members assessed status of achieving the priority or whether it remained relevant.

There was discussion about savings related to CFCO. Of the 84 million in projected savings from CFCO, some did go back to CFCO and that can't be tracked specifically. However additional funds were received, e.g. for increase case management, so more spending was provided for than projected CFCO savings.

Regarding the 1115 Medicaid Transformation waiver, there is no general state fund ask involved, however the additional federal fund appropriation needs to be allocated by the legislature. Part of approach is to serve unpaid family caregivers/ people at risk of spend down so they can be served in home.

The Council priority supporting long term care financing options study was met

Keeping the LTSS strong enough to support and protect vulnerable adults will continue as priority

The Council needs to analyze the transportation package that passed before determining any areas of focus

Rep. Appleton advised that will be a non-starter in the coming short session

Rep. Kochmar advised that the primary focus will be on education

Ron advised that the Council can spend next year conducting the transportation analysis

JLEC is in the budget this year so this priority may come of the list.

So recommending CFCO, LTC Financing, transportation and JLEC ADS go off the list

AARP is looking at Medicaid restoration of hearing aids as well as requiring private insurers to cover

State Council should consider investigating hearing supports

Cheryl recommends that legislative committee review info from today's discussion and present draft based on those points at the September meeting and also requested that members email comments/suggestions to for legislative priorities to Ron.

Additionally anyone interested in being on the legislative committee should please let Ron know. During the meeting the following members volunteered: Carl Bender, Marilyn Vogler & Phillip Lemley

Ron provided an update on federal legislation related to hospital observation status and the reauthorization of the Older Americans Act and recommends that members support this legislation

ALTSA Update- Bea Rector

ALTSA is involved in 2016 legislative session preparation-currently in the decision making package process. It's supplemental year so it's not a time to request a lot of policy.

The federal court decision came out ruling in favor of paying overtime to home care workers, so we will be working on cost control proposals for the legislature.

ALTSA is also working on request legislation

1. Overtime
2. APS statute revision that clarifies that APS doesn't do investigations in jails
3. Need more clarity on the Home Care Agency Parity statute (those things funded in the collective bargaining agreement (CBA) for individual providers (IP's). The CBA has increased in complexity and we need more clarity about what also needs be included for AP's

We will have more information at the October or November meeting about the status of these requests

Shared that Susan Engels & Susan Shepherd conveyed their thanks for the Councils work providing feedback on the Community Living Connections (CLC) public website

Will be doing public awareness outreach along with the public website launch

Ron complimented the developers for the breadth and depth of information on the site

The long term care financing study was funded by the legislature; ALTSA is in the process of conducting procurement for an entity to conduct the study. Will be putting together a review panel for the RFP so if anyone is interested in participating on the panel please let us know

The Hawaii long term care financing study is out- it's a good report and ALTSA will send a link to the report for members who are interested in reading it.

We've had evacuations and relocations due to the wildfires. There have been facilities lost, air quality issues remain. ALTSA does geomapping of where people live; have been engaged in multiple calls per day to address support

Medicaid Transformation waiver- An 1115 is a demonstration waiver (means you have something to demonstrate to nation)

The LTSS component is focused on being able to provide targeted supports for older adults in a manner the current waiver requirements don't allow. Currently waivers are an all or nothing program, for example, if we want to provide family caregiving as a service, under the current system would have to serve everyone including those already receiving waiver services. CMS has not said whether they would approve targeting at this point

With targeted supports for older adults we hope to demonstrate that if you can just give a few services to people not on Medicaid you can keep them off Medicaid-a little bit of money to allow someone to remain at home with a few services and also avoid having spend down to poverty to be eligible

Another key element is to de-link nursing facility level of care by maintaining the current functional eligibility for home and community services and increasing the functional eligibility for nursing homes so people with lower need levels are served in HCBS.

Phillip shared the he attended Pasco stakeholder meeting

The Health Care Authority/DSHS received 100 pages of comments on the draft waiver. LTSS concerns focused on fear that people would be steered into the unpaid caregivers component- also questioned is it really a choice?

From the nursing home provider side there were operational questions and concern about how much eligibility for nursing homes would change.

Currently working on a Frequently Asked Questions (FAQ) document based on LTSS related comments that have been received

The earliest date of approval would be April 2016- though it could be longer. We're trying to get approved before new administration comes in (presidential admin) because if not there could be extensive delays

Gail shared that a wise approach is identifying the most critical ADL's a person needs to maintain to remain at home & to focus services that way.

Kathleen Miller reported on the evacuation of residents from an assisted living facility in her area that she assisted with.

Bea shared that she has been incredibly impressed with providers and staff response to wildfire emergency

Excellence in Action Awards

Members engaged in discussion about reviewing and scoring the nominations that have been received for individuals and organizations. Members decided to form an ad hoc committee to review the nominations. The following individuals volunteered for the committee: Cheryl Townsend Winter, Javier Figueroa, Ron Vivion, Patricia McIntyre and Helen Spencer.

Rosemary will resend the nominations and scoring sheets to committee members

New Business

Ron provided a presentation to 300 people in continuing care retirement communities (CCRC)

He reported they're trying to come together as an association chapter affiliated with the national association

Attendees shared that problem for them is that their investment is being put into other new communities and there are also challenges with the progression of care

Ron provided some information about how groups organize to advocate an issue

Members engaged in discussion about different perspectives on CCRC's, for profit, nonprofit, good experiences, not so good experiences.

The acting Chair requests that the research committee take a preliminary look at CCRC and report back at the September meeting.

A draft Council meeting schedule for 2016 will be reviewed at the September meeting

Rosemary will forward contact information for Ron Bacon for members to send get well wishes.

Helen and Marilyn will forward documents used in presentations today to Rosemary so they can be attached to the meeting minute distribution

Walt Bowen will forward presentation resources on guardianship to Marilyn for review & screening for usability by the Council. Once that is done, the Public Awareness & Education Committee will finalize a Power Point presentation for the Council on Guardianship.

Members will forward suggestions about Council legislative priorities to Ron and will also let him know if they want to volunteer for the Legislative

ALTSA will send notice and organize registration for the October Senior Lobby & W4A WASCOA meeting.

Suzanne recommends that members make a point to visit with their district legislators

The acting Chair thanked Gail Hiestand for her time on council and all the input she provided and the Council provided a round of applause

The meeting was adjourned