

Commonwealth Council on Aging
Second Quarter Meeting
January 27, 2016, 11:00am-2:00pm
Senior Connections, The Capital Area Agency on Aging
24 East Cary Street, Richmond

Meeting Minutes

Present

Beth Barber, Chair
Kyle Allen
Joni Goldwasser
Carter Harrison
Valerie L'Herrou
Richard Lindsay
Shewling Moy
Brenda Nelum
Valerie Price
Vernon Wildy
Veronica Williams
William Massey, Ex-Officio
James Rothrock, Commissioner, Ex-Officio

Absent

Robert Blancato
Mitchell Davis
David Farnum
Pete Giesen
Roberto Quinones
Kathryn Reid
Sandra Williamson-Ashe
Terry Smith, Ex-Officio
Lynne Williams, Ex-Officio

Guests

Devin Bowers, Dementia Services Coordinator
Martina James, Special Assistant to the Commissioner
Joani Latimer, State Long-Term Care Ombudsman
Maria Santarsiero
Patricia Matthews
Elizabeth Barber
Thelma Bland Watson

Staff

Amy Marschean, JD, Senior Policy Analyst

Welcome and Introductions

Chair Barber called the meeting to order at 11:00 am and asked that members and guests introduce themselves. She passed around a sign in sheet.

Approval of Meeting Minutes

Ms. Barber asked if members had reviewed the September 30 meeting minutes and if there were any corrections. Dr. Allen moved to approve the minutes and Shewling Moy seconded the motion. The minutes were adopted.

Commissioner's Report

James Rothrock

Commissioner Rothrock announced that all was going well at DARS. He and certain of DARS staff under the leadership of Catherine Harrison were spending time at the General Assembly since it convened on January 13 tracking both budget amendments and bills. Governor McAuliffe proposed his budget in December featuring advances in coverage expansion for the uninsured, tax relief for many Virginians, and the following additions to services for Vintage Virginians and Virginians with disabilities:

- Public Guardian Services to those transitioning from training centers to the community – \$500k Year One/\$975k Year Two
- Public guardian services to vulnerable adults – \$425k/\$1.01m (one FTE)
- Replacement of case management system being used by APS workers – \$50k/\$440k
- Contracted services to provide in home care to low income seniors who have experienced trauma – \$100k/\$100k
- Administrative support for the Chronic Disease Self-Management Education (CDSME)– \$100k/\$100k w one FTE
- Monitoring for the Auxiliary Grant – \$87k/\$87k (one FTE)

The recent amendments requested by legislators include additional public guardian funding and the V4A amendment for CDSME that has a component for funding acquisition of Virginia specific data to prove what we have already witnessed-- that the program works and saves dollars. In addition, there have been a number of bills filed that are included in your handout about reporting and studying financial exploitation of the elderly, the Auxiliary Grant, and visitation issues regarding guardians.

More often now our health and human resources agencies are linked, so looking at our budget requires looking across the secretariat at DBHDS, VDH, and DMAS to name just a few and even outside our secretariat to DHCD, for example. What we are doing with Care Transitions and CDSME involves our sister agency, VDH, and the Commissioner was just speaking at the Virginia Center on Aging (VCOA) breakfast to Dr. Levine about Healthy Virginia and how prevention pays off. The whole secretariat is involved in DSRIP (Delivery System Reform Incentive Payment) and we are looking to No Wrong Door/Peer Place to manage health care more proactively.

You will hear today from Martina James about the Virginia Governor's Conference on Aging (VGCOA). We received over 80 proposals for sessions, we have worked on keynote speakers, and our sponsorships have been really nice. Please work with Council staff to provide information on whether you plan to attend and need assistance with covering cost of attendance. Our hope is to open registration the first or second week of February.

Dr. Allen noted that there is a federal Senate committee involving Senator Warner on improving chronic illness using legislation for a CDSMP demonstration project seeking alternate payment models for long term supports and services working with the payors. He will forward Ms. Marschean the information to share with Council members.

Welcome to Senior Connections

Thelma Bland Watson, Ph.D.

Dr. Watson welcomed Council members yet again for their annual meeting after the VCOA breakfast at St. Paul's. She noted that Senior Connections is currently working with Bons Secours and VCU on Care Transitions and she agrees with the Commissioner that CDSME is a great program and reiterated it is V4A's lead item for their advocacy at the General Assembly.

Budget and Legislative Update and Legislative Committee

Amy Marschean, J.D. (Handout) and Brenda Kelley Nelum

Ms. Marschean reviewed the **DARS bills**:

- HB 420 (Helsel)
Removes obsolete language regarding the setting of the Auxiliary Grant rate to conform to current practice of the General Assembly setting the rate.
- HB 740 (Yost)
Amends the Code of Virginia to conform to changes at the federal level to the rehabilitation act and the long term care ombudsman program.
- HB 816 (Peace)
Removes the representative of the Virginia Public Guardianship Association on the Public Guardianship Advisory Board because the association has disbanded. The slot will revert to a member-at-large. The bill also moves the Board language from Virginia Code § 2.2 to the DARS section, §51.5.

And other bills of interest:

Alzheimer's Disease

- HB 337 (Pogge) -informed consent to experimental treatment for neurodegenerative diseases. This bill is recommended by the Alzheimer's Commission.

Auxiliary Grant

- HB 675 (Peace) - extends AG eligibility to supportive housing in more integrated settings
- HB 297 (Austin) - doubles the number of individuals allowed to be receiving certain services in a congregate setting before licensure is required as an assisted living facility (ALF) (7 or more residents would require licensure)

Financial Exploitation

- SB 249 (Black), SB 412 (Barker), HB 248 (Minchew), HB 291 (Herring), HB 513 (Murphy) -financial exploitation over \$50,000 of individual 60 or older or incapacitated; referral to law enforcement
- HB 620 (Krizek) - allows a financial institution to refuse to disburse funds if they in good faith believe the transaction may contribute to financial exploitation of an aged or incapacitated individual
- HB 676 (Peace) - DARS study of financial exploitation

Guardianship

- SB 466 (Wagner), HB 342 (Pogge) - Guardian role in visitation and communication between incapacitated persons and others.

Advance Directives

- HJ 87 (Hodges) and SJ 35 (Miller) Designates April, in 2016 and in each succeeding year, as Advance Care Planning Month in Virginia.

Ms. Marschean noted there were many bills listed on the handout that would affect access to voting for seniors. Ms. Nelum thanked all members who participated in the breakfast and walked over to the General Assembly to visit with members to share the Council's recommendations.

**Working Lunch: Office of the State Long-Term Care Ombudsman
Joani Latimer, State Long-Term Care Ombudsman (Handouts)**

Ms. Latimer thanked the Council for their support for increased funding in the Council's annual report. She wished to plant three words to describe what her program is about: (1) Hand, (2) Voice, and (3) Witness. Her program advocates for residents of nursing homes, board and care homes, assisted living facilities and other forms of long-term care to give a "hand" to provide quality of life. She discussed the need for additional state funds to meet the Virginia standard (Code §51.5-135) of one full-time ombudsman for every 2,000 nursing home and assisted living beds.

Ombudsmen give "voice" to the vulnerable long-term care recipients. Many long-term care recipients are medically or emotionally too frail to speak up for themselves. She noted at the VCOA breakfast that morning Lt. Governor Northam, a doctor himself, described an issue with his own father not getting Medicare reimbursement for his rehabilitation because his father's hospital stay had been designated observation rather than inpatient. Ombudsmen work to help individuals and their families understand their rights. Their "witness" function gives them the ability to work with policy makers to bring about systems change and help improve long-term care. She is a member of the Culture Change Coalition. She noted certain areas of the state, northern Virginia and the Jefferson Area Board for Aging, have vital volunteer programs to assist her office. When asked, she stated it is definitely okay for providers to contact the ombudsman if they see a matter of concern involving long-term care recipients. Dr. Lindsay agreed that the state's failure to fund the program is a critical deficiency and a more vigorous ombudsmen program is sorely needed.

**Virginia Governor's Conference on Aging
Martina James, Special Assistant to the Commissioner**

Ms. James took over the role of conference planner in October 2015. The conference will be held May 2-3, 2016 at the Hilton Short Pump and 400 attendees are anticipated. May 2 is the opening day of the conference when all the sessions will occur beginning at 8am with an included evening reception for a registration fee of \$100 and May 3 is the half-day optional policy discussion for \$25. You must attend on May 2 in order to participate in the May 3 policy discussion since the moderator will work off the first day materials. Ms. James discussed breakout sessions that have been approved by the steering committee on the conference topics of Culture Change, Safety/Financial Security and Livable Communities. Sponsorship opportunities are still available through the conference website: www.vgcoa.com
It is hoped that the Council's Best Practices 2016 Awards will be presented at the first day's evening reception.

V4A Update

Bill Massey

Due to the snow storm, V4A was forced to cancel their conference. Mr. Massey reiterated that the V4A is seeking funding for CDSME this year.

Public Guardian & Conservator Advisory Board Update

Veronica Williams

Ms. Williams reported that the advisory board met on November 19, 2015, and Janet James, Program Director, noted her concern that there had been an uptick in arrests involving wards under public guardianship that pointed to a need for crisis intervention training of law enforcement. Erica Woods, former board member and American Bar Association lawyer dealing with elder law issues, presented on national trends involving adult guardianship, as well as the new laws that had been passed in Texas regarding substitute decision making. Public guardianship practices vary widely across the nation, but common themes for recent national legislation included limited guardianship, court oversight, and additional resources for public guardianship programs. She noted that Ohio, Nevada and Florida had suffered some significant media attention concerning guardianship laws that led to substantial legislation in those states. She is a proponent of the National Guardianship Standards and Working Interdisciplinary Networks of Guardianship Stakeholders (WINGS):

<https://www.naela.org/NAELADocs/PDF/NGN/Wings%20Implementation%20Guide.pdf>

Alzheimer's Disease and Related Disorders Commission

Devin Bowers, Dementia Services Coordinator

Ms. Marschean introduced the new DARS Dementia Services Coordinator, Devin Bowers, who replaced Charlotte Arbogast in September 2015. Ms. Bowers provided a brief history of the Alzheimer's Disease and Related Disorders (ADRD) Commission and an overview of the Dementia State Plan, including progress, current initiatives, and future directions. Virginia's Dementia State Plan was re-released in October 2015 and highlights accomplishments including establishing the position of Dementia Services Coordinator, the publication of a report detailing dementia care best practices in the Commonwealth, and the identification of interdisciplinary memory assessment clinics in Virginia and neighboring states. Council members expressed interest in and enthusiasm towards DARS' current dementia initiatives, which include providing counseling for caregivers of persons with dementia and offering care coordination for persons newly diagnosed with dementia. Council members were also given a brief tour of the AlzPossible website, which was established by the ADRD Commission as a virtual Alzheimer's disease center to provide training and resources. Moving forward the ADRD Commission will work to establish a dementia research consortium in Virginia and connect persons with dementia and their caregivers with Chronic Disease

Self-Management Education. Dr. Allen noted the need to educate primary care physicians about dementia.

Best Practices Committee

Richard Lindsay, MD

Dr. Lindsay announced that the 2016 Commonwealth Council on Aging Best Practices Awards are in process and urged members who are aware of innovative programs to get those programs to apply. The Council agreed to do what was done four years ago at National Harbor at the spring regional aging conference and have the 2016 Best Practices Awardees announced at the May 2 conference reception and have 1 individual (or very few) from the organization be the representative(s) to receive the award. Those persons would not be required to “attend” the conference to receive the award at the reception. By motion made by Dr. Allen and seconded by Dr. Lindsay, the Council agreed to the May 2 ceremony, as well as a recognition ceremony locally so that all recipients and whomever they want to invite could be celebrated in their own way.

Future Meeting Dates

Beth Barber

The remaining 2016 Council meeting dates are: May 1, July 13 and September 21.

New Business

Cardinal Reimbursement/W9Forms

Mr. John Thaniel, DARS Fiscal Director, explained coming changes to the Commonwealth accounting system and travel reimbursements for board members. Also, he discussed the need for board members to complete a W9 form for taxpayer identification number and certification to obtain reimbursement.

Public Comment Period

There were no public comments.

Meeting Adjournment

Chair Barber adjourned the meeting at 2:00 p.m.