

**Commonwealth Council on Aging
First Quarter Meeting Minutes
September 24, 2014**

DARS/Virginia Division for the Aging
1610 Forest Avenue, Suite 100, Henrico, VA 23229

Present

Beth Barber, Chair
Carter Harrison

Richard Lindsay, MD

Valerie L'Herrou

Shewling Moy

Brenda Nelum

Valerie S. Price

Roberto Quinones

Kathryn Reid

Terry Smith

Vernon Wildy

Lynne Williams

Veronica Williams

Sandra Williamson-Ashe

Absent

Kyle Allen, DO

Robert Blancato

Mitchell Davis

David Farnum

Arthur Giesen

Joni Goldwasser

Stephen Reardon

Courtney Tierney

Guests

Elizabeth Smith, RN, CCC Program, DMAS

Ali Faruk, Special Assistant to the Commissioner

Bruce DeSimone, VHDA

Staff

Robert Brink, Deputy Commissioner

Amy Marschean, JD, Senior Policy Analyst

Cecily Slasor, Administrative Support

Welcome and Introductions

Chair Barber called the meeting to order at 9:35 a.m. and she and Amy Marschean did new member training. Ms. Marschean played a short video for all members at 10:30 a.m. that described the Freedom of Information Act (FOIA) process in Virginia that was produced by the State Council on Higher Education

<https://www.youtube.com/watch?v=50oddI3nUe0&feature=youtu.be>.

Chair Barber then asked that members and guests introduce themselves. Ms.

Marschean noted that neither Ms. Tierney nor Mr. Massey were able to attend to give the V4A update.

Approval of Meeting Minutes

Chair Barber asked if members had reviewed the August meeting minutes and if there were any edits necessary. On page 6, under comments by Veronica Williams, Ms. Williams asked that the word *Medicare* be stricken. Veronica Williams made a motion to approve the minutes as amended. Shewling Moy seconded the motion and the minutes were unanimously adopted as amended.

Deputy Commissioner's Report

Robert Brink

Deputy Brink reported that a number of DARS staff recently attended the NASUAD Home & Community Based Services (HCBS) conference in Arlington. There were sessions held on many subjects like information and referral (I&R) services, long-term care services and supports, managed care, transportation, and many others. Deputy Brink heard many favorable comments and assessments about what Virginia is doing for older Virginians and persons with disabilities. He observed that DARS is ahead of other states in many respects.

All executive branch agencies were required to propose 5% cuts this year and 7% next year for the biennium budget beginning July 1. The budget shortfall will be addressed through the Rainy Day Fund and here at DARS we were able to come up with these reductions without any diminution in services. The grants we receive are helping with some of the budget shortfalls.

We just received the Lifespan Respite Care grant for \$75,000 per year for three years and a \$441,131 three-year grant from the federal Administration for Community Living to implement an Alzheimer's caregiver intervention program. The latter was very competitive and it was a real success for Virginia to obtain the grant due in large part to the recently hired Dementia Services Coordinator.

Deputy Brink is in the planning process to go out and visit all the area agencies on aging (AAA) this fall. Ms. Moy asked Deputy Brink if she could come along with him on site visits when he is visiting her area. Deputy Brink will get in touch with her to make arrangements. All Council members noted they would like to be notified when Deputy Brink is visiting the AAA in their area.

Mr. Harrison asked when the Area Plans for the AAAs will be finished. Also, he also asked about a meeting on service standards. Deputy Brink responded that staff are working diligently on the Area Plans and will schedule that meeting after the plans are finished.

Commonwealth Coordinated Care (CCC)

Presentation (Handout)

Elizabeth Smith, RN

- CCC *blends* Medicare & Medicaid benefits with an added benefit of care coordination.

- Participants are not *locked* into a choice of health plan and participants can also opt out of the program.
- Participants must be receiving Medicare and full Medicaid benefits. Individuals living in the community and those receiving the EDCD waiver and in nursing facilities are eligible.
- Some individuals are exempt from CCC: those receiving any other HCB waiver, those receiving hospice services, or those with other comprehensive insurance.
- Care coordination is the primary benefit of the CCC. Care Managers will work with participants to choose plans and achieve their health care goals.
- Enrolling in CCC is as easy as contacting the enrollment broker: Maximus at 1-855-889-5243.
- Participants voluntarily choose their health plan and coverage typically begins on the 1st day of the following month

Ms. Price commented that she is concerned for CCC-eligible persons as she has been helping someone who has had some challenges with the program. Mr. Harrison asked if *all* persons receiving the EDCD waiver are receiving care coordination and Ms. Smith responded only those persons receiving the waiver and participating in the CCC. Dental services and vision benefits are being provided by some plans. Dr. Lindsay cautioned that high enrollment in a program is good, but outcomes are what is really important. It is important to affect the people who have chronic diseases and make a difference in their overall health.

Public Guardian & Conservator Advisory Board Update

Veronica Williams

Amy Marschean

Ms. Williams informed fellow board members she is an elder law attorney and the new representative to the Public Guardian Board for the Council. The Public Guardian board met on September 18. One of the major items presented at the meeting was a draft of the new complaint process form for the Public Guardian Program. Janet James, Public Guardian Program Director, has worked diligently on the form and she emphasized this is only for the clients of the Public Guardian program, not private guardianships. Kathy Pryor, the Virginia State Bar representative, suggested that the director of the program should respond in writing and this will be added to the form. The board suggested changing the words 'resolve and resolved' to 'address and addressed'.

Mrs. Nelum commented that she is concerned about sending correspondence through the mail. Being able to communicate electronically makes processes so much easier. What about persons who are aged, sick or unable to afford multiple mailings? It can get expensive to pay for forms and postage. Ms. Marschean responded that the form states use of email for transmittal of the complaint forms is not permitted because of confidentiality concerns. Ms. Barber requested that the advisory board look at any and all barriers to reporting complaints. Ms. Williams welcomed all of the comments and

will pass them on. She thanked council members and added that these are valid concerns. Mr. Harrison asked if the Public Guardian inter-disciplinary team would be involved in the complaint process. Ms. Marschean said the complaint procedure requires the initial complaint to go to the program director and explained that the appeal would go to the state program manager, Janet James.

Ms. Williams also stated David Hominik, the Legal Services Developer from DARS, spoke at lunchtime on improving the access to legal services for older Virginians and Virginians with disabilities. Using pro bono and mentor attorneys is one proposed initiative and also using non-attorneys. She also shared that she alerted the advisory board to a statute that permits APS investigators to the authority of an APS investigator (as well as certain other family members) to request disclosure of financial transactions taken by an agent serving under a Power of Attorney. Finally, Mr. Paul DeLosh from the Supreme Court of Virginia provided a presentation on adult guardianship. Mrs. Nelum commented that she had personal experience with guardianship for her mother and questioned the audit of her mother's guardian. She went behind the auditor and found things that should have been caught.

2014 Annual Report with Legislative Recommendations/ 2015 White House Conference on Aging

Action: Adopt Annual Report and White House Conference Letter Beth Barber

At the August 27 meeting, council members adopted the Legislative Committee recommendations included in the draft annual report. Copies of the revised report based on edits made at the August 27 meeting were distributed to members to prepare for a vote on the final version. Dr. Lindsay asked that wording be changed to *senior friendly geriatric departments*. Ms. Barber asked for a motion to approve the annual report. Dr. Lindsay made a motion to approve the report with the change. Kathryn Reid seconded the motion. Members voted unanimously to approve the annual report with the amendment.

Ms. Marschean stated that the letter to the recently appointed director of the White House Conference on Aging needs to be approved by the council. Ms. Moy suggested adding the wording to the concluding paragraph to *please consider the use of delegates for the conference*. Ms. Marschean will make the change and send to Chair Barber for approval. A motion to approve the letter as amended was made by Veronica Williams and Roberto Quinones seconded the motion. Council members voted unanimously to approve the letter as amended.

Planning & Development Committee and the Governor's Conference on Aging

Ali Faruk, Special Assistant to the Commissioner

There will be a Governor's Conference on Aging next year in Virginia in September/October 2015 and it will be a one-day conference. The draft focus areas are: (i) creating and promoting livable communities (including housing and transportation),

(ii) economic security (including adult and financial abuse), and (iii) culture change in long-term services and supports (empowering caregiver support). The draft overall theme is Livable Communities for All Virginians. He stated they are tentatively planning for three large keynote sessions and then break-out sessions. Dr. Lindsay commented that he is not comfortable with the word “livable” in that it doesn’t suggest improvement. Ms. Reid said you want something more like “thriving,” not just living. Mr. Quinones said you cannot forget about veterans on this agenda. Dr. Lindsay also recommended getting academia/educational leaders at all educational levels involved. It is important to make the conference easily accessible and technologically accessible. Chair Barber noted she was glad to hear that there will be a positive message about aging and hopes that older Virginians will be portrayed as important, contributing members of society.

Best Practices Committee

Richard Lindsay, MD

Ms. Marschean distributed the instructions for the 2015 Best Practices awards to note minor wording changes to the inclusiveness category. Dr. Lindsay noted we had very successful 2014 awards ceremonies. Dr. Lindsay is still receiving comments about the awarded programs. Dr. Lindsay hopes to ‘broaden the net’ and get the word out. The key characteristic we’re looking for is *innovation*.

Future Meeting Dates

January 28, 2015

(Virginia Center on Aging Legislative Breakfast followed by a meeting at Senior Connections)

New Business

Mrs. Nelum attended the 3rd World Congress on Adult Guardianship in May 28-30 in Arlington VA. It was a gathering of lawyers, judges, guardians, and others to share information on guardianship and improvements to guardianship practices internationally. The National Association to Stop Guardianship Abuses invited Mrs. Nelum to attend the event. Jenny Hatch of Virginia was one of the speakers. Ms. Hatch was able to obtain a court order that dissolves her guardianship and she will be able to make her own decisions through “supported decision-making.” Mrs. Nelum said that maybe Virginia should begin to certify guardians like other states. In other states certifying guardians has decreased the number of complaints and abuse.

Public Comment Period

None

Meeting Adjournment

Chair Barber adjourned the meeting at 1:45 p.m.