

**Commonwealth Council on Aging
Third Quarterly Meeting
April 8, 2015
DARS/Virginia Division for the Aging
1610 Forest Avenue, Suite 100, Henrico, VA 23229**

Meeting Minutes

Present

Beth Barber, Chair
Kyle Allen
Robert Blancato (phone)
David Farnum
Joni Goldwasser
Carter Harrison (phone)
Valerie L'Herrou
Richard Lindsay, MD (phone)
Brenda Nelum
Valerie S. Price
Roberto Quinones
Kathryn Reid
Vernon Wildy
Bill Massey (Ex-Officio)

Guests

Justin Crow, Department of Health Professions

Staff

Robert Brink, Deputy Commissioner Aging Services
Amy Marschean, JD, Senior Policy Analyst
Ali Faruk, Special Assistant to the Commissioner
Cecily Slasor, Administrative Support

Absent

Mitchell Davis
Arthur Giesen
Shewling Moy
Terry Smith (Ex-Officio)
Lynne Williams (Ex-Officio)
Sandra Williamson-Ashe

Welcome and Introductions

Chair Barber called the meeting to order at 10:10 am and asked that members and guests introduce themselves. Ms. Barber passed around a list of the council committee assignments and asked members to confirm their membership assignments.

Approval of Meeting Minutes

David Farnum asked if members had reviewed the January 28, 2015 meeting minutes and if there were any corrections. Kathryn Reid moved to approve the minutes as amended and Mr. Farnum seconded the motion. The minutes were accepted and approved.

Nominating Committee

Beth Barber

Chair Barber reported that the council needs to bring together a Nominating Committee to create a slate of officers. Vernon Wildy and Carter Harrison were appointed by Chair Barber to serve on the committee. Joni Goldwasser, Kathryn Reid, Veronica Williams volunteered to serve. Valerie Scott Price moved Ms. Goldwasser, Ms. Reid and Ms. Williams as the members

appointed by Council to the Nominating Committee and the motion was seconded by Dr. Allen. The motion passed unanimously.

Deputy Commissioner's Report

Robert Brink

Mr. Brink stated a year ago we were in the midst of a budget standoff. The 2014 General Assembly failed to pass a budget on time and that was largely based on disagreements over Medicaid expansion. As the months passed, a budget shortfall was identified and, as a result, any additional funding added during the course of the session was pretty much stripped from programs to help with the budget shortfall, with the final result that the budget that went into effect on July 1, 2014, was basically the Governor's introduced budget. In 2015, however, the General Assembly passed the budget and adjourned a day early. One successful appropriation was \$500,000 for the Public Guardian Program. All three of VDA's boards had expressed support for additional funding for the program. Also, \$50,000 was appropriated for the Department of Criminal Justice Services to help with the training program for first responders on dealing with behavioral issues of persons with Alzheimer' Disease and related dementias. Looking forward, Mr. Brink said that funding levels for services are good considering the last few years' economic conditions.

Budget and Legislative Updates (Handouts)

Amy Marschean

As Deputy Brink reported, a big success this past session was the \$500,000 for the Public Guardianship Program. There were many bills of interest to DARS and the aging network. Ms. Marschean referred to the two handouts, *2015 General Assembly Budget Conference Report FY's 15 and 16* and the *2015 General Assembly: Virginia Division for the Aging Bills as of 3/9/15*. Ms. Marschean highlighted AARP's successful HB1413/SB750 that require hospitals to provide patients with the opportunity to designate an individual to receive information about their discharge plan, along with any information on follow-up care, treatment, or services they may require. Further, HB1558 allows for the creation of local or regional adult fatality review teams upon the initiative of any local or regional law enforcement agency, DSS, emergency services agency, attorney for the Commonwealth, or CSB. Such teams may review the death of any person age 60 or older, or any adult 18 years or older who is incapacitated.

Legislative Committee

Brenda Nelum

Mrs. Nelum applauded the Virginia legislation requiring notification to the hospital patients if placed on observation status. She also announced there will be a free webinar on April 20 on the subject of Geriatric Emergency Departments. Dr. Allen will be introducing Dr. Kevin Biese, MD, MAT, Associate Professor in the Departments of Emergency Medicine and Internal Medicine at the University of North Carolina Chapel Hill. So far 82 persons have signed up to join the webinar. Dr. Allen commented that the Virginia Academy of Emergency Room Physicians should be contacted about the webinar. Mr. Quinones asked about a single page flyer used in previous years that covered the legislative issues of the council. This was simple and a great thing to share when visiting with legislators. Chair Barber asked Mrs. Nelum to draft some tips and helpful information for council members to use when planning visits to their legislators. She requested that it be distributed at the

council's July meeting. Mrs. Nelum asked council members to share any items of interest with the legislative committee who will be working in the coming months on recommendations to the 2016 General Assembly.

Virginia's Healthcare Workforce and Aging (Powerpoint provided after meeting)

Justin Crow, MPA, Department of Health Professions (DHP)

Mr. Crow stated Virginia is working to improve data collection on Virginia's healthcare workforce. The Healthcare Workforce Data Center at DHP was an outgrowth of the Health Reform Commission under Governor Kaine. Economic change is both a cause and consequence of demographic changes nationally. In 2000, healthcare was the leading employer in two states. In 2013, healthcare was the leading employer in 35 states. In Virginia, there are shortages of certain health professionals. Mr. Crow noted that RNs and LPNs are increasing and shortages are not predicted. Nurses are the largest sector of the healthcare workforce. There has been a shift to community-based care. The healthcare workforce has changed to respond to this shift. By 2025, the demand will grow beyond the supply and there is a projected shortage of 46,000-90,000 physicians. The AMA had projected a shortage of 130,000 five years ago so this has seen some improvement.

Dr. Lindsay said that rather than focusing on geriatric specialization the American Geriatric Society is urging all residents to train on geriatric patients. Dr. Lindsay noted that the healthcare system plays an important role, but family members play a critical role and trying to support family members in their caregiver role is essential. Dr. Allen commented that we're relatively blind to the economic benefit of family care giving. He stated it is over \$450 billion in uncompensated care that family caregivers provide each year.

Ms. Reid echoed Dr. Lindsay's comments and added that training/curriculum for nurses and nurse practitioners have been updated to include more geriatric training. Joni Goldwasser commented that both the 2010 Institute of Medicine report and the Veteran's Administration Access to Care Initiative, as well as other studies by Robert Wood Johnson and AARP, looked at increased access for patients to nurse practitioners. Ms. Reid said a major outcome from that report said that nurse practitioners should be able to practice autonomously from physicians, yet there is no autonomous practice for nurse practitioners in Virginia. Virginia is very restrictive when it comes to scope of practice for nurse practitioners and reimbursements are at a fraction of the rate of their physician counterparts.

Valerie L'Herrou commented that she appreciates the work of Nurse Practitioners and has seen a Nurse Practitioner for many years. Her experience has been that Nurse Practitioners tend to take more time with patients. She also noted a concern that CNAs average wage of \$10-11 an hour creates a lack of stability in that workforce. Ms. Reid noted it can be unfair to those who are certified when un-certified persons are doing the same job not as certified nurse aides, but as personal care assistants.

Bylaws Technical Revision to conform to FOIA (Handout)

Action: Adopt Bylaws

Amy Marschean

Ms. Marschean talked about the Bylaws that need to be amended in order to permit members to participate electronically under Virginia Code § 2.2-3708.1. Members received a copy of the bylaws at the prior meeting and a final version by email before the meeting. In addition to a few technical amendments, the new language is at the end of the document on page 8. A motion

to accept the revised Bylaws was made by Valerie L'Herrou and was seconded by Roberto Quinones. Members approved the Bylaws as amended unanimously. Members can attend one meeting a year by telephone or videoconference on an emergency basis without notice.

Best Practices Committee

Action: Adopt Awardees

Dr. Richard Lindsay

Dr. Lindsay thanked the members of the Best Practices committee and said that they had done an outstanding job on the awards this year. He also thanked staff, including intern Matt Morgan. There were 12 applicants this year. One applicant was disqualified because they did not meet eligibility requirements.

The 1st place award recommendation goes to Faith to Fate Advance Care Planning Initiative- Senior Connections partnered with five African-American churches to host the program. Its purpose is to apply practical solutions to educate seniors about end-of-life medical and property asset discussions, planning and free legal documents execution. Using a new professional advance care planning program (ACP) – Honoring Choices Virginia – this is the first and only effort nationwide to leverage local African American churches as permanent ACP resource centers.

The 2nd place award recommendation goes to Central Senior Center in Fairfax VA since 1994. It originally opened to serve Korean-Americans, the center now serves all seniors regardless of ethnicity, with programs to help them become self-sufficient. The center offers four major services: Congregate Meal and Senior Center Day Program, Korean Meals on Wheels, the Personal Care Aide Certification program, and Central Senior Center Home Care. Around 1,000 seniors have participated in the program.

The 3rd place award recommendation goes to Volunteer Solutions in Fairfax County. Volunteer Solutions combines the many agencies that serve older persons to serve volunteer needs. The mission is to mobilize and connect volunteers with meaningful opportunities to improve the lives of older adults and adults with disabilities in the community. The program has 9 staff that manage nearly 4,000 volunteers throughout Fairfax County and the cities of Falls Church and Fairfax.

Programs receiving honorable mention:

- **Respite Program** in Hopewell – is a community service for residents ages 35 and above and seniors 60 and older who have a mental, physical or cognitive disability and/or require constant assistance from a caregiver
- **New Freedom Mobility Management by Bay Aging** – It is a transportation service designed to improve transit opportunities for people with disabilities and those over 60 years of age. The program currently serves twelve counties. The program allows people to be engaged and reduces isolation.
- **Successful Aging at Home in the New River Valley (NRV)** – was established to meet an unmet and growing need: the ability of residents to age in their homes and

communities. The initiative is guided by the NRV Aging in Place Leadership Team made up of eight community organizations.

Dr. Lindsay noted that the committee looks for programs that are cost effective, innovative, and most important, easy to replicate. A motion to accept the recommended programs was made by David Farnum and was seconded by Vernon Wildy. Council members voted unanimously to accept the recommended programs as award winners. Ms. Marschean asked council members to keep the awards confidential until they are announced May 1st. Dr. Lindsay asked members to attend the award presentations if it is in their home area. Mr. Farnum asked how things are set with funding of the awards for next year. Ms. Marschean responded that Dominion Resources has been most generous in funding the awards and the council has funding through next year.

V4A Update

Bill Massey

Mr. Massey provided the V4A update noting the work with the Virginia Center on Health Innovations CMS planning grant. The hope is to replicate the Eastern Virginia Care Transitions Partnership statewide. Commissioner Rothrock has been a champion of the AAAs being a part of the Care Transitions program through DARS participation in the Virginia Care Transitions Partnership. He mentioned Kathy Vesley-Massey has been appointed to the Governor's State Advisory Council on Housing and would welcome comments from council members. He also mentioned an initiative in which he is participating, the Advance Care Planning Coalition of Eastern Virginia that has published an excellent publication on advance care planning. David Murray, Executive Director, can be reached at :

As You Wish ADVANCE CARE PLANNING

A program of the Advance Care Planning Coalition of Eastern Virginia

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Working Lunch

Washington DC Update

Robert Blancato

Mr. Blancato reported that before Congress took a break, both the House and Senate advanced their budgets. The current budget suspended sequestration until the end of September. Without action, sequestration could resume again October 1. The House has passed a permanent fix for the SGR formula for reimbursement under Medicare where physicians could face major cuts in reimbursement rates. Means- testing could be applied to those who have the 'means' to pay. AARP is concerned and watching this bill closely. The bill also extends Children's Health Insurance and the QI Medicare program for low income persons. The Senate is expected to take the bill up next week.

The Supreme Court case of King v Burwell challenges the way the ACA has been interpreted. Specifically, the case will decide whether subsidies can be paid to those states who do not run state exchange programs. An estimated 8 million people could lose their subsidies if the court rules in favor of the plaintiffs. The decision will come down in June.

The proposed Older Americans Act reauthorization includes \$60 million for nutrition programs and it is progressing slowly.

Planning & Development Committee

Robert Blancato, Amy Marschean and Beth Barber

- **Statewide Listening Session for Four Year Plan for Aging Services February 13, 2015**
Held at WWRC in Fishersville VA with four satellite statewide sites. There was good attendance with a total of 31 participants. Topics included AAA funding, 'gerontologizing' state government, advance care planning and lifelong learning. The full meeting minutes are on the VDA Council website.
- **Governor's and White House Aging Conferences**
Mr. Blancato reported that the White House Conference on Aging has been holding regional forums and the topics are: Retirement Security, Healthy Aging, Long-term services and supports and Elder Justice.. The main event will be held sometime in July to coincide with the anniversary of Social Security and Medicare.
Ms. Barber recently attended a meeting on the VA Governor's Conference on Aging. Plans have now changed to hold the conference in spring 2016. DARS is looking at sites for the event. The size of the venue is an issue. DARS requires about 6 breakout rooms, that it be accessible, and have a large banquet room for lunch. Ali Faruk will keep everyone updated on the plans. The program is almost complete.

Draft Virginia Four Year Plan for Aging Services (Handouts)

2015-2019

The Council members received a copy of the composition of the Four Year Plan Work Group, the draft executive summary of the four year plan and its strategic goals. Ms. Marschean talked about the first meeting of the work group on March 6 who provided input on goals for the State Plan for Aging Services, as well as their vision for the plan. The work group, which includes all VDA advisory board chairs, as well as Dr. Lindsay, and other stakeholders and state agencies required by the Virginia Code will receive the full exposure draft of the report this week in advance of their meeting next week on April 17. The five goals presented are:

- Assess & facilitate statewide community readiness for an aging population, recognizing both the untapped resources and the unmet needs of this population;
- Empower older adults and their families to make person-centered & informed decisions about personal health, long-term services and supports, and end-of-life care options;
- Enable people to live in the community through the availability of formal & informal high-quality long term services and supports, including supports for families and caregivers;
- Strengthen statewide systems that protect the rights and prevent abuse or exploitation of older adults; and
- Enhance effective and responsive management of programs serving older adults for programmatic and fiscal accountability

Mrs. Nelum commented that we always promote keeping older adults at home and helping them remain independent but Medicaid rules have changed to make this very difficult for seniors and their families.

Ms. Marschean commented that aging well was brought up last week at the Population Health Summit as part of the Health Commissioner's Health Vision for the state. That summit, older Virginians month, work on the plan, planning for the White House and Governor's conferences have all placed attention on aging issues and, as a result, it is an exciting time to be working on the Four Year Plan.

Ms. Marschean will provide a copy electronically of the handout to the members so they can

comment. Ms. Marschean hopes that those persons serving on the work group will share the plan with their networks. After the work group has provided edits, the plan will go out for public comment to interested parties. The federal plan is due July 1.

Public Guardian & Conservator Advisory Board Update

Veronica Williams

Prior to her report, Ms. Williams noted that seniors can be discharged from hospitals to geographically-challenged areas for skilled care far from family members and Ms. Barber and Dr. Lindsay acknowledged that they were aware of the problem.

She then reported on the advisory board meeting and noted that Deputy Brink shared a report on the General Assembly and legislation. Janet James, Coordinator of the Public Guardian Program presented an update on the program. There is a waiting list of 986 persons for the program.

Mrs. James reported that an assessment of unmet need is required periodically by statutes and it may be time to have the board seek funding for the assessment. Cathy Thompson commented that the VA Guardianship Association has dissolved and the process may take up to six months to a year to accomplish. The association had experienced fewer attendees at their annual conference, members were not consistently able to give time to the association, the association had met the goal of education with the production of the popular handbook on guardianship and conservatorship. Ms. Williams shared a copy of the Values History form and Monitoring Process form used in monitoring the Public Guardian programs. There are four ratings that a program can receive after a monitoring. Face to face visits by a guardian are required once a month.

Mrs. Nelum commented on the confusion around public and private guardianships. 100 additional slots in the Public Guardian Programs will be made available with the \$500,000 funding received this past General Assembly session. Finally, Paige McCleary of the Adult Protective Services Division of DARS provided a presentation on APS-related legislation. Charlotte Arbogast, Dementia Services Coordinator presented an update on her work.

Future Meeting Dates

July 8, 2015, September 23, 2015

New Business

There was no new business.

Public Comment Period

Mrs. Nelum commented on the practice of sterilization that was done in Virginia for several decades that culminated in the famous U.S. Supreme Court case involving Carrie Buck.

Recently a budget amendment was passed acknowledging the practice and awarding the persons or their family members \$25,000 for what was done. Mrs. Nelum plans to join a group that will inform people about these monetary awards.

The National Committee to Preserve Social Security & Medicare will hold an event that will have Rep. Bobby Scott as keynote speaker.

Meeting Adjournment

Chair Barber adjourned the meeting at 2:10 p.m.