

## WASHINGTON STATE COUNCIL ON AGING

**MARCH 22, 2016**

### STATE COUNCIL ON AGING MEETING MINUTES

<b>Members Present:</b>	Carl Bender, Cheryl Townsend Winter, Ron Vivion, Patricia McIntyre Marty Johnston, Phillip Lemley, Suzanne Holmes, ,Helen Spencer Joanne Levine, Rep. Sherry Appleton, Barry Lamont, Aruna Bhuta, Ava Frisinger, Peggi Moxley, Lynn Ford, Courtney Jaren
<b>Members Absent:</b>	Sen .Karen Keiser, Rep. Linda Kochmar, Javier Figueroa, Paul Malinski,
<b>Guests:</b>	Cathy Knight, Walt Bowen, Brian Enslow
<b>ALTSA Staff:</b>	Rosemary Biggins, Bea Rector

<b>ACTION ITEMS LIST</b>	<b>WHO</b>	<b>DEADLINE/DUE DATE</b>
<b>Meeting Date: March 22, 2016</b>		
1. Older Americans Month Letter approval by Exec and post on Council Repository	Exec Comm Rosemary	Done
2. Compilation of print outlet contacts by member	Rosemary	By May 1st
3. Draft letters/invite to Rep Newhouse, AWC	Rosemary	Done
4. Continue PE&A work about how to identify community leaders.	PA&E Comm.	April Meeting
5. Plan for discussion of committee restructuring	All	TBD
6. Plan for guardianship related presentations at future meetings (professional guardian, supportive decision making, Office of Public Guardian in anticipation of legislative session	Executive Comm	TBD
7. Distribute final draft mission statement to Exec	Rosemary	ASAP
8. Review and Edit draft statement on Medicare Observation Status	Helen & Lynn	April Meeting

### Welcome, Remarks, and Introduction of New Member

The meeting was called to order at 8:30 AM. Barry Lamont welcomed new member Lynn Ford who has been appointed to the Council by the Lewis Mason Thurston Advisory Council. Members and guests introduced themselves.

## Council Business

The agenda was reviewed with clarification that WINGS Conference discussion would happen during guardianship focus area discussion. Previous meeting minutes were reviewed and approved pending edit of duplication of name in attendance section.

Action items were reviewed with two meeting invite letters pending and Ron Vivion reporting on Medicare observation status during the meeting today.

Members who met with legislators on Senior Lobby Day (Joanne Levine, Carl Bender, Phil Lemley, Marty Johnston, Cheryl Townsend Winter, and Ron Vivion) reported on topics discussed and outcome of their meetings.

Walt Bowen reported that he received feedback from legislators that Council members were very informed about issues. He also reported that 300 people attended Senior Lobby.

Members engaged in discussion about the joint October conference and effective methods to distribute information about the work of the Council including possibly having a table in the lobby, distributing materials from the table that Council members sit at and also in the conference packets that are distributed.

## Partner Updates

### W4A Update –Cathy Knight

The CARE Act passed. There is also a conference call with Jerry Reilly at noon to discuss additional outcomes of the legislative session and budget.

The Older Americans Act reauthorization- passed senate, the house amended and passed so it's now back to Senate

W4A will be able to meet with policy people in April, will continue to forward information as it's received

Cathy will work with Phillip on determining what ideas we want to bring forward for priority focus at the October conference. Members discussed possible content, perhaps workshops this year, advocacy 101, aging mastery grant update. The joint meeting will be held Oct 26<sup>th</sup>, the day before Senior Lobby. Discussed the legislative reception & its focus on educating legislators about the issues

Cathy would like the Council's assistance with preparation for the upcoming candidate forums. There will be a legislative breakfast for LTSS briefing on Jan 11 2017. The 2016 breakfast worked out well so plan on building on that success.

Walt reminded members that next session is a full session-policy focused and there will be newly elected members who need to be educated about LTSS. There are also changes in leadership and candidate forums are going to be very important to lay the groundwork

Phil suggested working with League of Women Voters, discussion ensued about having coordinated approach, and also maintaining the intended agenda. This requires a lot of advanced planning---Phil will work with Cathy.

Cathy thanked Ron for his leadership with the legislative committee

Senior Lobby Update- Walt Bowen

Walt discussed Supreme Court election (state), the primary in August. It may be settled with 51% - if not it will move to the general election

Next meeting of Senior Lobby will include the election of officers and passing bylaws.

Walt shared his interest in joining with the Council around Older Americans month and related activities.

### **Legislative Committee Update –Ron Vivion**

HB 1725 the overtime management bill and related appropriation is part of final budget negotiations taking place

Some thought that senate budget does not have adequate funding to cover overtime costs.

Ron discussed the Senior Lobby meeting held yesterday. Representative Chris Reykdal, 22<sup>nd</sup> district, attended the meeting and discussed his perspective on how come the legislature is dealing with the budget the way it is. Discussed challenges associated with the requirement to look at the supplemental budget process with 4 year perspective.

Rep. Sherry Appleton discussed the fact we currently have surplus but are looking outward to 4 years and also explained how come the Governor vetoed some bills and that senate bills had made it to his desk before house bills.

## Medicare Observation Status

Ron discussed what happened at the last meeting talking about Observation status- he had met with Rep DelBene and was contemplating possible ways to move the issue forward.

Ron share there was legislation last year that would require notification but it didn't move because of a technicality-as an outcome it passed but subsequently has been hindered

The legislation (federal) is still dormant

Ron has been in discussion with Cathy MacCaul about this issue

Discussed possible opinion piece. Suzanne Holmes talked about importance of approach that is personalized about impact financially on people

## **Association of Counties Legislative Agenda and Discussion- Brian Enslow, Senior Policy Director**

Brian introduced himself and distributed and reviewed the Association of Counties 2016 legislative He also described the county level process related to revenue (reference hand out)

There are serious issues with having funding available for McCleary obligations (funding education) and other important obligations for the state.

Discussed implementation of integrated behavioral health at county level. Regional Support Networks, (RSN's) are transitioning to Behavioral Health Organizations, (BHO's) County Commissioners have been involved in related policy development and will continue to be involved in implementation.

Discussed housing challenges at county level, e.g. homelessness throughout the state and the nexus to behavioral health/ nexus to cost (including the prohibitive cost of rent/housing). There are challenges at city and town level around need for zoning changes, price relief measures and resistance to change.

There were a lot of bills dropped this session regarding homelessness and housing but there needs to be more coordinated approach.

Members asked about homelessness rate data for seniors (not readily available) and discussed differences in rural vs urban areas of the state and looking at supportive housing component as relates to Medicaid waivers.

Aruna asked about what can be done at county level about housing barriers. Brian discussed that is area of significant challenge, e.g. Seattle looking at consideration of another level of real estate tax. Suzanne mentioned the document recording fee gap funding to address homelessness.

Brian and members also engaged in some discussion about people with developmental disabilities who are at retirement age and concerns about what happens when they leave work if they need day to day supports. Also discussed current amendment by Senator Braun that would provide a stipend for personal care services (in-home) and the vulnerability if balancing the budget is the driver, unsure of the long term commitment to funding and the need for funding to keep pace with inflation. Cheryl suggested that the age wave coalition would concur

Discussed some of the tensions around training requirements for family members and some of the resolutions to date as well as need to continue to work on this area. Brian thinks there can be more of a role for counties to assist with the exception process

Discussed how the age wave is hitting the senate- with upcoming retirements, there will be significant turnover in policy leads as relates to human services and the need to cultivate knowledge base of new leadership.

Brian thanked members for the meeting invite and shared that he really appreciates the reaching out and talked about need to work together in areas of agreement

### **Monitoring and Support Definitions-Carl Bender**

As follow-up to previous Council discussion Carl Bender presented the following:

Monitoring relates to observing what's going, the process and results, but not trying to have impact on the outcome

Support relates to being in favor and may also involve taking part in process to impact the outcome.

### **Focus Areas Update**

Guardianship-Peggi Moxley

WINGS conference- different perspectives brought to table, getting different groups talking is positive. There are different sized guardianship agencies

Peggi discussed the issue of isolation, using the Astor case as an example (case of son initially framing story that spending estate was what Ms. Astor wanted.) Also discussed a case she was involving a man who was hospitalized, girlfriends son got power of attorney an exploited finances. Subsequently a guardian was appointed and took the right actions on behalf of the man.

Ron shared the recent WINGS conference had speaker on the supported decision making model used in Massachusetts.

Lynn Ford discussed the origin of supportive decision making in the developmental disability field

Members discussed some of the sessions offered at WINGS conference

Barry stressed the need to work on how we strategize about how we advance priority issues forward, including possibly having David Lord and Shirley Bonden back to a Council meeting

Members also discussed some context for considering options to guardianship---does Council want to ask someone from the professional guardianship board to present at a meeting? (Will plan for May or June meeting)

Members discussed the importance of paying close attention to what is going on with older relatives and friends

Walt shared that this session guardianship related bills were put on hold. The JLEC for Aging and Disability Services have added the issues of guardianship, supported decision making.

After session, JLEC will be looking more closely at these issues and considering legislation to address. The issue of isolation is highly politicized

Elder Justice-Helen Spencer

Discussed tribal initiative underway.

Ron shared that legislation on expanding elder justice centers will resurface next session.

Alzheimer's State Plan-Cheryl Townsend Winter

Implementation has started. Cheryl will be heading the public awareness workgroup

### **Mission Statement Update- PA & E Committee**

Presented mission statement for review, discussion ensued about content, length and compatibility with RCW

### **Committee Reports**

#### **PA & E Committee**

Had discussions about formulating questions related to identifying leadership

#### **Legislative Committee,**

Will start process at identifying where we may want to influence next year legislative session

#### **Research Committee**

Discussed nursing supports and magnet hospitals

Barry suggested that the Council should discuss if there needs to be a research committee, should we consider restructuring? For example, the legislative committee could use more help  
We can put it on agenda for future meeting.

### **ALTSA UPDATE- Bea Rector**

Most pressing issue is overtime (OT) - the legislature is still in session so we don't have policy final from them and we need to implement starting April 1 based on: agreement by the Department of Labor

April 1st we will be accruing OT after 40 hours worked and we are running a variety of budget models to anticipate final scenario decided by the legislature.

How fast it can be done depends on when it comes out of legislature- we know we have minimum of 3 months to implement.

This morning we met with stakeholders about OT and to assess Washington Administrative (WAC) needed for implementation.

Where it gets challenging is with a person (client) who needs more than 40 hours. There are scenarios where there are no other workers available to the person in a geographic area and this is not an issue.

It is an issue when client has another worker available but does not want to use them, or provider wants to keep the extra hours in agreement with client.

A client will need to demonstrate an attempt has been made to locate workers and they were not successful. We will apply this universally across the board.

Travel time policy between worksites has been established for reasonable parameters

Members discussed implementation. Patricia McIntyre asked how many clients and workers have more than 40 hours.

DSHS will have progressive discipline including suspension of contract for workers who work unapproved hours (DOL dictates the need to pay but is also clear there can be consequences)

Aruna asked if there will be more focus on recruiting more IP's. And also asked if caregiving training being looked at.

Yes & also need to work directly on individualized basis with IPs, this is currently prohibited by existing statute. Currently 70% of IPs are family or friends of clients

Bea also discussed the extensive work done by DOH and DSHS to improve and the increase test passage rate for individual providers. (Including IP's who have first language other than English)

Individual provider payment system update.

There were technical issues with the start of implementation- e.g. the system not saving information submitted- so immediate measures were taken to address problems.

Call center capacity was increased and extended hours made available and also extended deadline. (answering calls in several languages)

Council members and Bea discussed work done to address and monitor number submitted-and direct calling to IPs who had not submitted/been able to submit

Medicaid Waiver 1115 CMS discussions continue. On the LTSS side continue to have a lot of discussion with HCA (reference last month meeting discussion)

Nursing home rate /reimbursement system legislation passed. ALTSA is scheduling meetings throughout the state with nursing home association and providers to discuss new methodology & relocation system where applicable. Discussed variance in nursing home client turnover and support needs for people moving out of nursing homes

### **New Business**

Mission Statement /Older Americans Month LTE Review- Public Awareness and Education Committee (follow up)

Suggested edits will be reviewed and the Executive Committee will approve the final version.

The draft letter to the editor regarding Older Americans Act will be sent to the Executive Committee for final approval and posted on the Council webpage for ease of access

### **Member Comments**

Phillip shared that the Tri-City Herald would consider an opinion piece by the Council from time to time. Perhaps one topic could address the Medicare observation status issue

The meeting was adjourned at 2:00PM