

Commonwealth Council on Aging
August 27, 2014
DARS/Virginia Division for the Aging
1610 Forest Avenue, Suite 100, Henrico, VA 23229
Meeting Minutes

Present

Beth Barber
Kyle Allen
Robert Blancato
Mitchell Davis
Joni Goldwasser
Carter Harrison
Valerie L’Herrou
Richard Lindsay
Shewling Moy
Valerie S. Price
Kathryn Reid
Veronica Williams
Sandra Williamson-Ashe

Absent

David Farnum
Arthur Giesen
Brenda Nelum
Stephen Reardon
Roberto Quinones
Vernon Wildy

Ex-Officio

James A. Rothrock
Courtney Tierney
Terry Smith
Lynne Williams

Guests

R. P. Mauskapf, MPA, Colonel, USMC Ret,
VDH
Eileen Tarr, VA Department of Emergency
Management
Susan Ward, VHHA
Paige McCleary, DARS
Susan Potter, Citizen

Staff

Robert Brink, Deputy Commissioner for Aging Services
Amy Marschean, Senior Policy Analyst
Cecily Slasor, Administrative Support

Welcome and Election of New Vice Chair

Beth Barber

Chair Barber called the meeting to order at 10:05 a.m. and welcomed members and guests. Chair Barber welcomed the four new members of the Council. Members and guests introduced themselves. Carter Harrison nominated Valerie Price for Vice Chair. Ms. Price was unanimously elected to the position of Vice Chair.

Approval of Meeting Minutes

Chair Barber asked if members had reviewed the April meeting minutes and if there were any edits or corrections needed. Kathryn Reid made a motion to adopt the minutes and Bob Blancato seconded. The April 9, 2014 meeting minutes were adopted.

Commissioner's Report

James A. Rothrock

Commissioner Rothrock welcomed members, especially the new members. He also encouraged them to be involved and not to be hesitant about asking questions. The Division for the Aging has, so far, done well in terms of the budget. However, other DARS programs are facing \$1.6 million in cuts. The Governor is asking all state agencies for 5% and 7% cuts for each year of the biennium respectively.

On October 9, a listening session on the topic of Adult Abuse will be held at Woodrow Wilson Rehabilitation Center (WWRC) at 2:00 p.m. There was a prior session held on May 28 at the VA Coalition for the Prevention of Elder Abuse (VCPEA) conference. Delegate Orrock asked DARS to study adult abuse and financial exploitation and report to the 2015 General Assembly. DARS has been surveying all of the local departments of social service (DSS) offices for data on adult abuse.

The Commissioner commended Dr. Allen on his work with the Care Transitions programs. The network is already strong and DARS will continue to support this successful initiative.

DARS is also working with the Governor's office on planning a fall 2015 Governor's Conference on Aging. Ali Faruk, Special Assistant to the Commissioner, will work with Planning and Development Committee chair, Bob Blancato, and others on the planning. Dr. Allen asked whether the medical associations were being included.

DARS received \$1.2 million in funding for nutrition programs in the final 2014 state budget. The Commissioner continues to remind First Lady Dorothy McAuliffe about nutrition issues for older persons and hopes to plan some events in the future that will compliment the work she is doing around hunger issues in children. Mr. Harrison asked about the \$.5 million proposed funding cuts for adult programs/services at DSS listed on the Department for Planning and Budget website and the Commissioner stated he is investigating.

Commissioner introduced the new Deputy Commissioner for Aging Services Robert Brink. Mr. Brink served in the House of Delegates for 17 years. He has worked for many years with the local northern Virginia councils on aging and has been supportive of aging programs in his role as legislator.

2014 General Assembly Budget Update

Robert Brink

Deputy Brink said that he is very happy to be Deputy Commissioner for the Division for the Aging (VDA). He began at VDA on July 7 and has met with VDA staff one on one to gain a better understanding of the organization and what everyone does.

Deputy Brink has begun visiting the 25 Area Agencies on Aging and will continue this fall. The Governor's Conference on Aging planning will include a work group in the fall. The working theme for the conference is *Liveable Communities*, to include housing, transportation and access to services.

Virginia operates on a two-year budget cycle and this year, the outgoing governor (McDonnell) prepared a budget that included approximately \$99,000 for the public

guardianship program. The House added an additional \$316,000 for guardianship per year. The main hang up in the budget approval process was the expansion of Medicaid that forced the legislature to go into overtime. As for the current Commonwealth budget situation, there was a reported revenue loss of about \$350 million and that keeps getting adjusted upward. Much of the shortfall comes from the effects from sequestration and the fiscal cliff at the federal level when there was a discussion of raising the capital gains tax. Many people took their capital gains that year and many states didn't anticipate the shortfall in the revenue category subsequently. The Commonwealth did a revenue reforecast and Governor McAullife has now requested the state agency budget cuts.

Washington, DC Update (Handout)

Robert Blancato

Mr. Blancato introduced himself to the new members and spoke of his background in the aging network and the work he is currently doing, including serving as State President of AARP. Mr. Blancato proceeded to provide an overview of the current issues facing the aging network at the federal level.

- Congress is wrapping up after a long recess and will return to work on September 8
- The fiscal year ends on September 30 and there is no budget in sight. A Continuing Resolution (CR) will fund the federal government until mid-December. One question is will we return to sequestration this year?
- The Veterans Health Care bill did pass. It provides \$17 billion to make key reforms including 27 new health facilities, \$5 billion to hire new doctors and nurses and \$10 billion to allow veterans to obtain health care at non-V.A. public or private facilities
- The next action on the Affordable Care Act will be the Supreme Court ruling on whether subsidies will be allowed in the federal exchanges. There have been reenrollment issues and premium issues, but progress is being made on many fronts. Reforms in the Act have been given some credit, especially Care Transitions, provider payments, and new, efficient ways to provide care.
- Reauthorization of the Older Americans Act (OAA) is still stalled in Congress. The Senate is hung up on formula change and the House is disengaged. There are three main bills. Two bills would do a normal reauthorization. The third is a straight extension of current law. This is seen as the one most likely to pass and it is backed by AARP.
- On the elder justice front, action is still pending on the Elder Justice Initiative of President Obama. Plans are pending to build an APS national infrastructure, more translational research, and improved data collection. Senate action so far has approved \$10 million. Advocacy for the full \$25 million goes on. The current Elder Justice Act expires on September 30. The House bill to renew the Elder Justice Act is to be introduced on September 8th by Rep. King (NY). A Senate bill is expected to follow. The Elder Justice Roadmap report

issued a new report to help shape a national strategic plan for elder justice. For more information, please visit www.elderjusticecoalition.com

- The White House announced last month plans for a White House Conference on Aging (WHCOA) to be held in 2015. There is no specific date yet but next year was chosen to coincide with anniversaries of Social Security- 80 years; Medicare, Medicaid and the OAA - 50 years; the Americans with Disabilities Act (ADA) 25 years; and the Affordable Care Act/Elder Justice Act 5 years. The WHCOA will focus on four topics: retirement security, long-term services and supports, healthy aging and elder justice

Dr. Allen asked if work force issues were going to be part of the WHCOA discussion and Mr. Blancato responded he believed it would be a subtopic within the four listed. It is rumored that there will not be delegates chosen to represent the states at the conference. Dr. Lindsay asked if there was something Council could do to push for a more structured conference. Mr. Blancato said we could certainly introduce a resolution. Chair Barber asked if members agreed that Council will work on a resolution and all members agreed to a draft resolution to urge greater structured state involvement.

Commonwealth's Emergency Preparedness

R.P. Mauskapf, MPA, Colonel, USMC (Ret)

Director of the Office of Emergency Preparedness

Colonel R. P. Mauskapf provided an overview of the Virginia Department of Health (VDH) Office of Emergency Preparedness. Colonel Mauskapf and his office manages two grants: (1) One for hospitals, health entities; and (2) One for Public Health Emergency Preparedness, which is a CDC grant. VDH was asked by Secretary of HHR, Dr. William Hazel, to convene an HHR workgroup on Emergency Preparedness. The group meets the 1st Friday of every month and looks at common causes and issues under his leadership and VDH briefs the Secretary. There is a new Director of the Virginia Department of Emergency Management (VDEM), Jeff Stern, and new Secretary of Public Safety and Homeland Security, Brian Moran. Working with VDEM, VDH is in charge of health and medical, including behavioral health and VDSS oversees Sheltering and Mass Care. Both agencies work with the locals and VDH and VDEM are the conduit to federal emergency management.

Dr. Lindsay noted there is a problem nationwide concerning the lack of health professionals in a crisis. Col. Mauskapf said a task force has been created for behavioral health needs to 'back up' Community Services Boards in an emergency. Ms. Tierney suggested local AAAs and the Meals on Wheels program help identify community vulnerable elderly through the No Wrong Door database.

Dr. Lindsay said a huge issue is the vulnerability of residents in Assisted Living Facilities (ALF) and Skilled Nursing Facilities (SNF) during an emergency. It is difficult getting residents out of a dangerous, unhealthy situation in ALFs and SNFs and finding places to house them, particularly when you have patients with Alzheimer's and dementia. Col. Mauskapf said ALFs and SNFs are mandated to have an

emergency/evacuation plan and his office has worked to “deconflict” them from using the same transport, for example, in the event of an emergency.

Dr. Allen referenced a Baylor College of Medicine study that was done post-Katrina about the extraordinary loss to vulnerable elderly. He noted that, with more adults aging in place, a registry could be used that funnels to a database all persons with home health care. Ms. Tierney said it is such a help to local fire and rescue to know who the vulnerable, elderly residents are and if they use medical equipment.

Eileen Tarr

Virginia Department of Emergency Management

Local Planning Assistance Program (Handout)

VDEM does planning for emergency preparedness for individuals with disabilities and those with access and functional needs. After an emergency/disaster declaration, VDEM works with local first responders, city/county managers and administrators, emergency managers, and if appropriate, federal agencies such as FEMA.

There are 17 emergency support functions (ESFs) that incorporate emergency response. The functions include transportation, communications, emergency management, sheltering and mass care, public safety and others.

To improve upon emergency preparedness/response issues, a workgroup was created that is called the HHR or Health & Human Resources Workgroup led by Col.

Mauskapf. VDEM has a representative to the workgroup. VDEM collaborates with other agencies in the workgroup to support ongoing efforts.

As part of ESF #6 *Sheltering and Mass Care*, a Special Needs Cadre was created. This cadre consists of representatives from VDEM, VDDHH, and other agencies that support citizens with special needs. The cadre will coordinate resources for local governments to assist with providing for citizens with special or functional needs. VDEM has partnered with the University of Richmond to analyze homeless and special needs population data. Ms. Tarr recognized Kathy Miller of DARS/VDA who worked with her on a local emergency planning grant for special needs individuals.

Legislative Committee

Action: Adopt Recommendations

Amy Marschean

Ms. Marschean provided members with a draft annual report and noted many legislative recommendations carry over from last year. The 2014 recommendations are:

- Support additional funding for the public guardianship program and provide monitoring and training for all guardians with the Adult Guardianship Guide released in 2014 by the National Association for Court Management <https://nacmnet.org/sites/default/files/publications/AdultGuardianshipGuide.pdf>
- Provide funding for services and supports that enable older Virginians and those with disabilities to remain in or return home
- Provide funding for elder abuse prevention.
- Promote Senior Friendly Hospitals, Geriatric Emergency Departments and elder safe home care

- Promote safe and effective hospital discharges by working with family caregivers
- Monitor the Commonwealth Coordinated Care (CCC) program
- Promote innovative models to “de-institutionalize” the nursing home environment
- Promote an appropriately trained health care workforce for the aging population
- Provide access to health care insurance for an additional 400,000 low income uninsured persons in Virginia
- Ensure voting access for seniors

Ms. Marschean thanked Susan Ward of VHHA for her assistance with the geriatric Emergency Department (ED) issue. VHHA will be doing webinars for their members and will survey how many hospitals are moving to this model. Dr. Lindsay mentioned that the new Institute for Innovations in Caregiving at SeniorNavigator is focusing on the creation of elder safe Emergency Departments.

Ms. Marschean noted that the Council Legislative Committee met with David DeBiasi with AARP who is supporting legislation for hospital discharge planning. Ms. Ward noted she has been in discussions with Mr. DeBiasi.

Veronica Williams noted difficulties her clients have had in the last year concerning getting the Uniform Assessment Instrument/DMAS-96 pre-admission screening done prior to hospital discharge to access Medicare/Medicaid funding. Ms. Ward noted VHHA has done training for hospitals in the last year on this issue. She sent guidance to her member hospitals last December. (VHHA is a trade association and not a regulatory organization.) Terry Smith noted that DMAS is aware of the prescreening difficulties and changes may be coming in the 2015 General Assembly session as a result. Mr. Harrison noted this is a complicated issue that may need more than one sentence added to the legislative recommendations to provide constructive input into the process. Ms. Ward noted the prescreening delay is not limited to long-term care settings. She will send to Council members the guidance that VHHA sent out last year. Staff will do additional research to see if the delay in screenings issue could be put into the format of a resolution or letter from the Council to advocate streamlining discharge preadmission screening.

Valerie L’Herrou mentioned the importance of ensuring access to voting for seniors in the wake of the new voter identification law, in addition to providing seniors early and absentee voting. Often older persons may not have renewed their drivers’ license and don’t have other forms of identification.

Ms. Tierney asked for “green house model” to be added to the legislative report and Mr. Harrison asked that the “Other Activities” heading be changed to “Examining the Needs of Older Virginians.” Kathryn Reid moved to adopt the legislative recommendations and Joni Goldwasser seconded the motion. The recommendations with two amendments were adopted.

**Working Lunch: Public Guardian & Conservator Advisory Board (PBCAB) Report
Amy Marschean**

At the June 12 meeting, the PBCAB received presentations about the public guardian program at Jewish Family Services (JFS) of Richmond and Adult Protective Services in Virginia. The PGCAB received public comment from Nancy Diehl whose brother was a ward of the public guardian program operated by JFS of Tidewater. Ms. Diehl sought to take over as guardian for her brother and she described many issues she had with JFS of Tidewater in her efforts to coordinate his care and obtain guardianship. Ms. Marschean shared with Council that DARS received a thank you note from Nancy Diehl who successfully obtained the transfer of guardianship on July 25.

V4A and Alzheimer's Commission Update

Courtney Tierney

Five of Virginia AAAs were presented with innovation awards by the National Association of Area Agencies on Aging (N4A) recently. Prince William AAA received an award for their transportation program.

Prince William AAA has done a public service announcement (PSA) about elderly victims of financial exploitation. Ms. Reid commended Ms. Tierney on the PSA and urged her to see if she could share the PSA to give it statewide exposure. Ms.

Marschean suggested checking with VACO and VML and Ms. Barber mentioned sharing it with the OAG to share with local TRIAD contacts.

A group of AAA directors met with DMAS last week on the CCC program. The AAAs and CILs are working together to support this new program. The AAAs continue to work with VACIL (VA Association of Centers for Independent Living).

Charlotte Arbogast, Dementia Services Coordinator and researcher Devin Bowers are working on a dementia care best practices study and Ms. Arbogast gave an update to the Alzheimer's Commission. The AlzPossible website, which was created by the Commission, was recently re-launched with improvements and added features. Mr. Harrison commented that the Behavioral Risk Factor Surveillance System (BRFSS) data has been received and results will be posted soon on the AlzPossible site. Mr. Harrison commented that the site has evolved over the years and has not been marketed greatly to the general public. It has been most widely used by professionals and researchers. The Alzheimer's Commission also discussed SeniorNavigator and No Wrong Door.

Best Practices Committee

Richard Lindsay

Dr. Lindsay thanked Amy Marschean and his great committee this year that worked on the awards, including two outside experts, Paula Kupstas and Elizabeth Swider. He noted the May and June award ceremonies were well received and he said there was a great value in going into the communities to provide the recognition. He reminded Council of the award winners.

- FREE Foundation (Roanoke)
- Supplies for Seniors - Montgomery & Pulaski counties and City of Radford
- Arts Fusion - Central and Western Chapter Alzheimer's Association

Honorable Mention Programs:

- Wills for Seniors

- Nest Egg Thrift store
- Greater Augusta Coalition on Elder Abuse
- Northern Virginia Aging Network (NVAN)

Dr. Lindsay acknowledged the generous monetary contribution from Dominion Resources which funds the monetary awards.

Planning & Development Committee

Amy Marschean

The Planning and Development Committee works on funding for the Best Practices awards and the Community Conversations. In 2015, this committee will liaison with the Governor's Conference on Aging and will have a role in the public hearings that will be held for the Commonwealth Four-Year Plan for Aging Services.

2015 Meeting Calendar

Veronica Williams moved to accept the 2015 meeting dates (January 28, April 8, July 8, September 23) for the Council and Ms. Moy seconded the motion. The 2015 calendar was adopted by the Council members.

New Business

Beth Barber

The Council discussed a Roanoke Kissito PACE program client success story. Terry Smith provided a PACE(Program for All-Inclusive Care for the Elderly) handout and added that the PACE program in Roanoke has been a real success since opening last fall. PACE provides comprehensive, community based care, directed specifically to persons 55+ who meet nursing facility criteria. She noted currently 1,400 individuals have enrolled in PACE in Virginia. DMAS is seeing decreases in medication errors, nursing facility admissions and emergency room visits. There are currently 4 RFAs (Requests for Application) out for new PACE sites.

Public Comment Period

Ms. Susan Potter is an attorney from Virginia Beach and she spoke about guardianship placement, guardian *ad litem*/court process, and the Public Guardian complaint process. Ms. Potter referenced a former client of hers that was placed in a facility run by Scott Schuett. Mr. Schuett's facilities were substandard and have now been closed by VDSS. The two public guardian programs in Tidewater placed public guardian clients in Mr. Schuett's assisted living facilities. She states it is not appropriate to mix the elderly with the mentally ill population. She indicated that the *Virginian-Pilot* is working on a story about guardianship. In Tidewater, she says that Colleen Dickerson is the hand-picked guardian *ad litem* for the Tidewater public guardian programs and she claims Ms. Dickerson does not represent the ward's interests, but that of the programs, and this is improper. She says DARS is overdue in establishing a complaint process for the public guardianship program and requests it be put up on the DARS website.

Meeting Adjournment

Chair Barber adjourned the meeting at 2:23 p.m.