

Commonwealth Council on Aging
2nd Quarter Meeting Minutes
January 23, 2013

Senior Connections, The Capital Area Agency on Aging
24 East Cary Street, Richmond

Present

Roberto Quinones, Chair
Kyle R. Allen, D.O.
Robert Blancato
Karen L. Fortier, Esq.
Arthur Giesen
Richard W. Lindsay, MD
Gail Nardi
Brenda K. Nelum
Valerie Scott Price
Stephen Reardon, Esq.
James A. Rothrock
Terry Smith
Courtney Tierney
Vernon Wildy

Absent

Juanita A. Bailey
Beth Barber
Gene Ecton Davis
David M. Farnum
Susan McCammon
Nancy New
Joan Boyd Short

Guests

Nakia Speller, Prince Wm. Area Agency on Aging (AAA)
Thom Butcher, Richmond Department of Social Services (DSS)
Jessi Bullard Young, Commonwealth Catholic Charities
Shervonne E. Banks, MSG, Senior Advocate, City of Newport News

Staff

Amy Marschean, JD
Cecily Slasor

Welcome and Introductions

Chair Quinones called the meeting to order at 11:45 am. Commissioner Rothrock introduced the DARS/Virginia Division for the Aging (VDA) new Legal Services Developer, David Hominik, and asked him to tell the Council a little about himself and his work history. Chair Quinones welcomed members and asked that they introduce themselves, including new members, Courtney Tierney and Kyle R. Allen, D.O.

Approval of Meeting Minutes

Chair Quinones asked members if they had reviewed the September 2012 meeting minutes and if there were any edits or corrections needed. A motion was made by

Steve Reardon to accept the meeting minutes. The motion was seconded by Vernon Wildy and passed unanimously.

Meeting Summary

Commissioner Rothrock Report

Commissioner Rothrock provided an update on DARS. The Commissioner reported the hiring of David Hominik as Legal Services Developer and Tanya Brinkley to help with intake and referral. Ms. Brinkley will use CRIA (Communication, Referral, Information & Assistance) in working with callers. VDA is interviewing for a Systems Analyst who will assist with information technology issues involving the merger of Adult Protective Services and Adult Services from DSS into DARS in July 2013. Jane Snead, the VDA contract manager, recently retired after 40 years of exemplary service to the Commonwealth.

DARS has contracted with a firm called PFM to help VDA manage their discretionary grants. PFM consultants are knowledgeable about state agencies and how the state works. Tim Catherman will oversee the consultants work on VDA along with John Thaniel and Ernie Steidle. Mr. Catherman's role is expanding to include both fiscal and contract management and monitoring along with a focus on governance issues. He recently held a webinar for Board chairs of AAA, CIL and disability boards and their Executive Directors on board governance.

Dr. Lindsay and Gordon Walker have suggested looking at leadership development training. There are currently four vacancies in AAA director positions. Mr. Catherman will work with this issue also.

DARS has a two-person public relations (PR) division. Recently, they put out a press release for Medicare beneficiaries warning them about a scam that was operating in the area. The Commissioner noted working with Gail Nardi and others on the transfer of Adult Protective Services and Adult Services to DARS. Ms. Nardi noted that May is Elder Abuse Prevention Month and each year DSS requests a proclamation from the Governor. Her staff and DARS PR staff will work together on the proclamation this year.

DARS is applying for an Americorps grant related to emergency preparedness for persons with disabilities and older persons. DARS will work with several CILs and AAAs in collaboration on this project. The Appalachian Agency for Seniors and Bay Aging have recently worked on Care Transitions assisting persons transitioning home from the hospital to ensure they stay out of the hospital.

Finally, DARS received a small grant for Lifespan Respite. It will allow several hundred persons to receive respite care for their relative. The grant is not a large amount so DARS will be able to quantify the demand for the service as the money will be used up quickly.

Legislative Update

Amy Marschean

(Handouts)

Ms. Marschean provided a handout of all legislation being tracked by DARS and highlighted a number of bills of interest to the Council:

HB1682(Bell)--Financial exploitation of persons with mental incapacity. The Virginia Elder Rights Coalition has made this bill their priority and it provides that it is unlawful for any person who knows or should know that another person suffers from mental incapacity to, through the use of that other person's mental incapacity, take, obtain, or convert money or other thing of value belonging to that other person with the intent to permanently deprive him of it. A violation is punishable as larceny.

SJ366 (Colgan) --Area agencies on aging; Age Wave planning. Brenda Kelley Nelum contacted Senator Colgan to file this bill on behalf of the Council. The recommendation was made in the Council's annual report.

SB 953(Ruff) – Alzheimer's Disease and Related Disorders. Expands the duties of the Department for Aging and Rehabilitative Services related to services for individuals with Alzheimer's disease and related disorders and their caregivers.

HB 2191(Helsel) – Annual report of guardians. DSS is monitoring a bill regarding the annual report that guardians must submit to the state.

There are many bills concerning voting rights. For example, HB 1394 (Marshall, D) states any person who will be age 65 or older on the day of the election for which an absentee ballot is requested would be able to vote absentee.

Dr. Allen noted he is working with Delegate Stolle on HB 1588 to incentivize medical school admission for persons entering the geriatrics field.

Budget Amendments

Commissioner Rothrock

(Handouts)

Commissioner Rothrock discussed the Governor's proposed amendments for Health and Human Resources and General Assembly member amendments for DARS in the biennial budget. He noted member amendments were put in to increase funding for AAAs and funding a Dementia Services Coordinator for the agency to address the expanded duties under SB 953. Additional funding was requested by members for Senior Navigator, the Respite Care Initiative and the Virginia Center on Aging's Alzheimer's research. There were many amendments regarding Medicaid Expansion under the Affordable Care Act. In 2014, when the Affordable Care Act goes into effect, persons working part-time 30 hours per week or more would have to be provided insurance and DARS is evaluating the impact this may have on its budget.

Washington D.C. Update

Robert Blancato

Mr. Blancato stated the Older American's Act (OAA) has not been reauthorized and the bill will have to be reintroduced in the next Congress. The hope is that Congress will

take up a multi-year reauthorization. He stated lawmakers need to understand that funding the OAA is an investment and not an expenditure. When you fund programs that help people remain in their homes you are actually saving money. President Obama has declared 2013 the Year of Elder Abuse Prevention. Because older Americans face many financial challenges as they age, Mr. Blancato referred us to the Office of Financial Protection for Older Americans website: www.cfpb.gov (<http://www.consumerfinance.gov/older-americans/>). He noted the Affordable Care Act will also be a major issue this year. Health insurance exchanges are being discussed at the state level as to whether the federal government or states will operate them. Enrollment, essential health benefits and Medicaid expansion are also being discussed. Reform to Medicare and Social Security will be part of federal budget discussions. He noted it promises to be an exciting year for aging at the federal level.

Public Guardian and Conservator Advisory Board (PGCAB) Report

Karen Fortier, Esq.

Karen Fortier reported that the PGCAB is tracking the guardianship legislation, HB 2191, that streamlines the annual reporting process and pending litigation regarding private guardians. The board has discussed increasing accountability through the annual reporting requirement and concern about the adequacy and numbers of persons eligible to become guardians. The Public Guardian and Conservator Program Director, Janet James, did a great job of traveling the state last year and visiting the programs to see who is doing a great job and who might need some help. Finally, she discussed a case in northern VA about a law firm overcharging for guardian services that could have far-reaching effects that was in the *Washington Post* at the end of November: http://www.washingtonpost.com/local/guardianship-case-in-mclean-illustrates-lack-of-regulation-for-those-caring-for-the-elderly/2012/11/29/40a49bc2-ec65-11e1-a80b-9f898562d010_story.html. It may discourage attorneys and others from becoming guardians. Mrs. Nelum asked whether auditors should be used more to oversee guardianship cases. Ms. Marschean noted that the public guardian programs overseen by DARS are very closely monitored by Ms. James and the program only represents the indigent. The newspaper story was about private guardians and not public guardians.

V4A Update

Courtney Tierney

Each decade's census means a reallocation of federal funding from the OAA monies for Virginia's AAAs. Every AAA saw a growth in the 60+ population last year and there were cuts to some agencies when the need has in fact increased. The General Assembly addressed this in part last year and the V4A hopes to obtain more funding this year. The V4A is looking to expand its involvement in Care Transitions programs and working with DMAS on the dual eligible (persons eligible for both Medicare and Medicaid) project. The V4A voted to support Medicaid Expansion. Senior Medicare Patrol (SMP) is working to promote and educate about Medicare fraud. All but three AAAs are on the PeerPlace system and many CILs use it also.

New Member Handbook**Amy Marschean, JD**

(Handouts)

Discussion deferred until next meeting.

Best Practices Committee Report**Dr. Richard Lindsay**

Staff has publicized widely the Best Practices Awards. Council members should promote the Best Practices Awards. The deadline for nominations is 5:00 p.m. on March 1, 2013. Please share the Best Practices information with friends, colleagues, legislators, and anyone else you wish. Dominion Resources has donated funds for the awards. A question was raised whether a nominator from outside the state for a Virginia-based organization would be allowed. After discussion, Mr. Reardon moved that a nominator from outside the state be permitted be allowed with a second from Dr. Allen. The motion passed unanimously.

Planning and Development Committee**Robert Blancato**

Ms. Marschean reported that the committee will meet to discuss Best Practice Award fundraising and Community Conversations.

Future Meeting Dates and Upcoming Events**Roberto Quinones**

The next meeting will be held on April 10, 2013. Other meetings are July 10 and September 25, 2013.

New Business

Roberto Quinones

None.

Public Comment Period**Roberto Quinones**

None.

Meeting Adjournment

Chair Quinones adjourned the meeting at 2:06 pm.