

**PENNSYLVANIA
DEPARTMENT OF AGING**

LONG-TERM CARE COUNCIL

EST. 2015

Meeting Minutes

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| Meeting: | Pennsylvania Long-Term Care Council |
| Date: | Thursday, October 24, 2019 |
| Start & End Time: | 10:00 a.m. to 2:07 p.m. |
| Location: | Pennsylvania Farm Show Complex & Expo Center, Keystone Conference Center |

Council Members in Attendance

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| Insurance Cmmr. Jessica Altman (Designee: Emily Holladay)* | Brian Hudson, Sr. (Designee: Gelene Nason)* | Rep. Thomas Murt Designee Shannon Walker also attended |
| Eric Beittell - <i>LTC Insurance</i> | Samella Hudson-Brewton - <i>Senior Community Centers</i> | Shane Nugent - For-Profit SNFs |
| Sen. Michele Brooks (Designee: Janelle Lynch)* | Cmmr. Ted Kopas - <i>County Commissioners Assoc. of PA</i> | Vini Portzline - <i>LTSS Consumer</i> |
| Brig. Gen. Anthony Carrelli (Designee: Andrew Ruscavage)* | Ray Landis - <i>Consumer Advocacy</i> | Kenneth Potter, Esq. - <i>PA Bar Association, Elder Law Section</i> |
| Sen. Maria Collett (Designee: Tom Holroyd)* | Holly Lange - <i>Area Agencies on Aging</i> | Mike Sokoloski - <i>Homecare</i> |
| Representative Pam DeLissio | Sec. of Health Dr. Rachel Levine (Designee: Susan Coble)* | Sec. of Aging Robert Torres Council Chair |
| Mark Gusek - <i>LTC Managed Care</i> | Robert Marino - <i>Caregiver</i> | Matt Yarnell - <i>Consumer Advocacy</i> |
| Anne Henry - <i>Nonprofit SNFs</i> | Joyce McClary - <i>LTSS Nurse</i> | Heshie Zinman - <i>Consumer Advocacy</i> |
| Lydia Hernandez-Velez - <i>Consumer Advocacy</i> | Diane Menio - <i>Caregiver</i> | |
| Nancy Hodgson, PhD - <i>Academic Research</i> | Sec. of Human Svcs. Teresa Miller (Designee: Jennifer Hale)* | |

*Attended on member's behalf

Council Members Not in Attendance

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| Janice Cameron - <i>PA Council on Aging</i> | Sec. of Transp. Leslie Richards (Designee: Emma Lowe) |
| Dr. David Nace - <i>LTSS Physician</i> | Margie Zelenak - <i>Assisted Living Residences & Personal Care Homes</i> |
| Nicole Pruitt - <i>Adult Day Centers</i> | |

PDA Staff in Attendance

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| Stephanie Cole, Executive Assistant | Christine Miccio, Director of Aging Services Bureau |
| Maria Dispenziere, Deputy Legislative Director | Chuck Quinnan, Council Executive Director |
| Dr. David Galinsky, Chief Medical Officer | Sasha Santana, Executive Secretary |
| Faith Haeussler, PCoA Executive Director | David Toth, Director of Policy & Legislative Affairs |

Committee Members & Guests in Attendance

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| Pam Auer, Center for Independent Living of Central PA | Ebony Johnson, Department of Corrections' William Penn Fellow |
| Cmdt. Rohan Blackwood, PA Department of Military & Veterans Affairs (DMVA) QC | Daniel Kleinmann, PA Health & Wellness OC |
| Jeff Blume, PA Department of Labor & Industry WC | Cmdt. Deborah Nesbella, DMVA WC |

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| Art DiLoreto, PA Association of Area Agencies on Aging WC | Cmdt. Peter Ojeda, DMVA QC |
| Jennifer Ebersole, Alzheimer's Association | Vince Phillips, Phillips Associates OC |
| Kailee Fisher, Pennsylvania House of Representatives | Cmdt. Barbara Raymond, DMVA WC |
| Kathy Gillespie, Clearfield County Area Agency on Aging QC | Missy Shupe, Long-term care nurse WC |
| Jennifer Haggerty, PA Homecare Association (PHA) WC | Margaret Tracy, Bayada Home Health Care |
| Teri Henning, PHA | Linda Walker, Educators, Inc. AC |
| Jeff Iseman, PA Statewide Independent Living Council | Brian Wright, PA Office of Administration |

OC = Outreach Committee; AC = Access Committee; QC = Quality Committee; WC = Workforce Committee

Meeting Minutes

| # | Discussion Items | Summary |
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| 1 | Welcome | <p>Secretary of Aging Robert Torres opened the meeting by welcoming members and guests. Council Executive Director Chuck Quinnan went over housekeeping items (e.g., emergency evacuation protocol, Wi-Fi password, etc.) and provided the following updates:</p> <ul style="list-style-type: none"> • The names of potential candidates to fill the academic research and long-term services and supports consumer vacancies were provided to the Governor's Office and appointments are expected to be made soon. • The Governor recently reappointed the following council members to a second term of four years as their first terms recently expired: <ul style="list-style-type: none"> ○ Eric Beittel ○ Mark Gusek ○ Nicole Pruitt ○ Mike Sokoloski ○ Heshie Zinman • On October 30, 2019, the Housing Gaming Oversight Committee will hold a public hearing on legislation (House Bill 1598) to, among other things, legalize illegal gambling machines marketed as "Pennsylvania Skill Games." <p>Mr. Quinnan also explained that the meeting agenda was built around issues and barriers identified by council members at the last meeting, including affordable housing, suicide prevention, fraud and abuse, etc.</p> |
| 2 | Introduction of Members & Guests | Members and guests introduced themselves. |
| 3 | Approval of August 29, 2019 Meeting Minutes | A motion was made by Shane Nugent and seconded by Representative Thomas Murt, and the August 29, 2019, meeting minutes were unanimously approved. |
| 4 | Overtime | Robert Schramm, Deputy Chief Counsel at the Pennsylvania Department of Labor and Industry, provided a brief overview on: 1) the U.S. Department of Labor's final overtime rule , which goes into effect January 1, 2020; and 2) the Pennsylvania Department of Labor and Industry's recently submitted final overtime regulation , which is scheduled to be voted on by the Independent Regulatory Review Commission (IRCC) at its November 21, 2019 meeting. Mr. Schramm explained that the federal final rule and the proposed final state |

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| | | <p>regulation pertain to certain salaried employees. In response to questions, Mr. Schramm noted that he would provide Mr. Quinnan with the following information to forward to the council:</p> <ul style="list-style-type: none"> • A chart comparing the U.S. Department of Labor’s final overtime rule and the Pennsylvania Department of Labor and Industry’s final overtime regulation • A point of contact at the Pennsylvania Department of Labor and Industry for questions pertaining to the aforementioned final federal rule and state final regulation • A link to the Pennsylvania Department of Labor and Industry’s final overtime regulatory package and information on submitting comments to the IRCC |
| 5 | 2020 Meeting Dates | <p>Chuck Quinnan went over the 2020 meeting dates and explained that the council will continue to meet at the Farm Show Complex and noted that due to renovations, the April and June meetings will be held in the Farm Show’s Banquet Hall.</p> |
| 6 | SHARE (Shared Housing & Resource Exchange) Pilot Program | <p>Christine Miccio, Director of the Department of Aging’s Bureau of Aging Services, gave a PowerPoint presentation on the department’s Shared Housing and Resource Exchange (SHARE) pilot program, which helps older Pennsylvanians remain in their homes and communities by bringing together homeowners, who want to share their home, with home seekers, who are looking for housing in exchange for rent, help around the house, or a combination of both. Ms. Miccio explained that at least one of the parties must be 60 years of age or older in order to qualify for the program. The following is a recap of additional information and clarification Ms. Miccio provided during her presentation and in response to questions:</p> <ul style="list-style-type: none"> • The pilot was launched in Monroe, Pike, and Wayne counties after Pike County approached the department about housing issues in the county and the department hosted a housing summit, examined the demographics in the area, and conducted a housing needs survey of area seniors. • The pilot is funded through a three-year federal Money Follows the Person (MFP) Rebalancing Demonstration Grant. <ul style="list-style-type: none"> ○ The amount of the original grant was \$837,000. <ul style="list-style-type: none"> ➤ The grant money is used for the housing counselors’ salaries, benefits, marketing events, and travel expenses. <ul style="list-style-type: none"> ❖ Initial startup costs included training for the counselors, laptops, phones, etc. ○ The focus of the program has been to help keep seniors in their homes and communities. ○ The original SHARE pilot was set to run through 2020, but there is discussion at the federal level to extend the grant. • The department is looking to expand the program into the following counties next year. Those counties may potentially include: Adams, Carbon, Crawford, Venango, and Union/Snyder. • The requirements for host homes include, among other things: <ul style="list-style-type: none"> ○ A home inspection to ensure that the conditions are safe and sanitary |

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| | | <ul style="list-style-type: none"> ○ The department has adopted many of the U.S. Department of Housing and Urban Development’s quality guidelines. ○ One of the main requirements is that they must be able to provide a private bedroom. ○ Other requirements have to do with basic safety and sanitation such as whether the home is heated, is rodent infested, has mold issues or a leaky roof, or other health concerns. ○ Counselors go through a checklist to ensure the standards are met. ● The department has asked housing counselors to reach out to local colleges and universities to discuss this program as a housing option for students. ● Criminal history background checks are conducted on both the homeowner and home seeker, but it is up to both parties to determine if they wish to move forward if one of the parties has a criminal record. ● There is no income or asset eligibility test. <ul style="list-style-type: none"> ○ Rent is based on income and can be no more than 30% of the home seeker’s income, which includes utilities. <ul style="list-style-type: none"> ➤ However, that amount can be negotiated based on an exchange of resources. For example, if a home seeker is willing to assist with yard work or provide transportation, the homeowner may accept a lower amount of rent in exchange. ○ Housing counselors refer individuals who may be eligible for other services. |
| 7 | Suicide Prevention Task Force | <p>Maria Dispenziere, Deputy Director of Policy and Legislative Affairs for the Department of Aging, went through a PowerPoint presentation and brief on the Governor’s Suicide Prevention Task Force, which included state and national statistics, draft goals for the 2020-2024 state plan, and information on the task force’s public listening sessions. Ms. Dispenziere filled in for Caitlin Palmer, Special Advisor to the Secretary of Human Services, who was unable to attend the meeting due to an illness. After sharing the aforementioned information, Ms. Dispenziere solicited feedback from members to share with the Suicide Prevention Task Force as part of their information gathering. The following is an overview of some of the issues, barriers, and recommendations that members identified:</p> <ul style="list-style-type: none"> ● Ensuring appropriate supports for those who are newly disabled, diagnosed with advanced illnesses, or going through life transitions (e.g., a student with a disability transitioning from high school into adulthood, etc.) ● Accessible transportation for getting to support meetings, etc. ● The stigma attached to suicide which contributes to underreporting ● Social isolation and the need to focus more attention on individuals who have lost a spouse or companion ● Utilize the Senior Peer Counseling Program as a model for other age groups ● Timely access to mental health support professionals ● Greater mental health parity |

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| | | <ul style="list-style-type: none"> Integrating senior community centers into the school system to provide intergenerational support <p>Members also requested that Director Quinnan reach out to Ms. Palmer to inquire if the following data and information is available:</p> <ul style="list-style-type: none"> Suicides involving individuals with disabilities, including the proportion of those who commit suicide within the first six months post-diagnosis Suicide-related deaths of adults 60 and older The percentage of individuals who died by suicide who would have had the option to choose physician assisted suicide based on their diagnosis had the option been legal in Pennsylvania Organizations or other states who have programs that connect LGBTQ individuals with mental health-related services, including assistance for those dealing with suicidal ideation Models of support systems for individuals whose family members have died by suicide or for individuals who have survived a suicide attempt Suicide rates of people who are socially isolated, including a proportional breakdown of suicides in rural versus urban areas <p>In response to requested data on suicide deaths among veterans, Department of Military and Veterans Affairs designee Andrew Ruscavage noted that he would provide information to Mr. Quinnan to share with the council.</p> |
| 8 | Lunch | |
| 9 | Retirement Recognition | Secretary Torres presented councilmember Ray Landis with a congratulatory letter from Governor Wolf on his recent retirement from AARP Pennsylvania. |
| 10 | Community HealthChoices Waiver Amendment | <p>Jennifer Hale, Director of the Bureau of Policy and Regulatory Management for the Department of Human Services' Office of Long-Term Living's (OLTL), noted that DHS will be submitting a Community Health Choices 1915(c) Waiver amendment to the Centers for Medicare and Medicaid Services next year. Ms. Hale provided an overview of the timeline for the waiver amendment process and the various services currently covered under the waiver for participants who qualify for Medicaid home- and community-based long-term services and supports.</p> <p>As part of the waiver amendment process, Ms. Hale explained that OLTL will be engaging with stakeholders in November and December to begin evaluating the waiver service definitions, examining service utilization, and exploring what is and what is not working well for participants, with a focus on challenges and barriers that can be addressed within the context of the service definitions. She said that there are certain service definitions that the department will certainly be evaluating – such as personal assistance services, non-medical transportation, and nutritional consultation – based on previous feedback and observations. Given the conversation and discussion at the last council meeting, Ms. Hale noted that she wanted to ensure that council members were engaged in the process and had the opportunity to provide input and recommendations on the definitions.</p> |

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| | | <p>A motion to have the Long-Term Care Council (LTCC) review and provide feedback on the CHC 1915 (c) Waiver services and definitions was made by Holly Lange, seconded by Representative Pam DeLissio, and unanimously passed by the full council. It was decided that the LTCC's committees would hold conference calls prior to the December 12 meeting to collect recommended revisions, additions, etc. in order for the full council to provide its input to the Department of Human Services before the end of the year.</p> <p>In response to a request, Ms. Hale noted that she would provide Mr. Quinnan with information on the utilization of behavioral health services pre- and post-CHC implementation to provide to the members.</p> |
| 11 | <p>Electronic Visit Verification (EVV)</p> | <p>Ms. Hale provided a PowerPoint presentation on the Department of Human Services' (DHS) upcoming implementation of electronic visit verification (EVV) for Medicaid-funded personal care services and home health services per the federal 21st Century Cures Act. Specifically, she explained that EVV must be implemented for personal care services by January 1, 2020, and for home health care services by January 1, 2023, or states face having their Federal Medical Assistance Percentage or FMPA reduced. Ms. Hale noted that the intent behind EVV is to enhance program integrity and add extra assurance for participant health and safety. Her presentation covered the following areas of focus:</p> <ul style="list-style-type: none"> • EVV system requirements • Location requirements • Open vendor model • EVV visit capture data • Implementation timeline • Participant-directed model • EVV opportunities • EVV resources <p>In response to questions, Ms. Hale noted that she would provide Mr. Quinnan with the following information to share with the members: 1) the location of the Department of Human Services' November 8th public meeting on EVV implementation, and 2) the rationale for implementing EVV for the Act 150 Program since that program is not Medicaid-funded.</p> |
| 12 | <p>Behavioral Risk Factor Surveillance System Survey (BRFSS) Data on Cognitive Decline & Caregivers</p> | <p>Brian Wright, Statistical Support manager for the Office of Administration, provided a Power Point presentation on the Behavioral Risk Factor Surveillance System (BRFSS) and BRFSS cognitive decline and caregiver data. During his presentation, Mr. Wright discussed the results of the cognitive decline and caregiver modules (questions) and provided the following overview of the BRFSS:</p> <ul style="list-style-type: none"> • BRFSS is a Centers for Disease Control and Prevention sponsored telephone survey. • Pennsylvania has been participating in the survey since 1989. • It is the largest telephone health survey conducted in the world. • The survey includes both core and state selected modules and questions. • The survey population is Pennsylvania adults age 18 and older. |

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| <p>13</p> | <p>Commonwealth Updates</p> | <p><u>Department of Aging</u> – Secretary Torres provided the following updates:</p> <ul style="list-style-type: none"> • Since the council’s last meeting, there has been movement on legislation to update the Older Adult Protective Services Act. <ul style="list-style-type: none"> ○ Senator Mensch’s Senate Bill 819 passed out of the Senate Aging and Youth Committee and awaits third and final passage by the full Senate. ○ The House version was introduced by Representative Tim Hennessey earlier this month. • The Council on Reform, which was established by the Governor’s Executive Order on Vulnerable Populations, had their last meeting yesterday and will be issuing their recommendations to the Governor by November 1. • The federal Older Americans Act (OAA) awaits reauthorization by Congress. <ul style="list-style-type: none"> ○ An OAA reauthorization bill has been introduced in the U.S. House of Representatives and has started moving through that chamber. ○ A companion bill is expected to be introduced soon in the U.S. Senate. ○ One of the issues the Department of Aging has been following is the hold harmless provision as some changes are expected given population shifts amongst the states. • The Department of Aging is putting together an outreach strategy for the 2020 Census, which will include working with our stakeholders, many of whom are represented on this council. <ul style="list-style-type: none"> ○ It is imperative that Pennsylvania gets the best count possible as it will have financial implications for the federal funding the commonwealth receives. • On November 6, the department will hold its Alzheimer’s Disease and Related Disorders Forum at the Sheraton Harrisburg Hershey Hotel. • Last week, Secretary Torres spent the day in Philadelphia with councilmember Dr. Nancy Hodgson and her colleagues at the University of Pennsylvania where he had the opportunity to hear presentations on research they are doing on older adult-related issues, including dementia. The next day, he also had the opportunity to speak with the chancellor at Penn State Harrisburg about the chancellor’s interest in research regarding remote home monitoring to support older adults. <ul style="list-style-type: none"> ○ Secretary Torres noted that he encouraged the presenters and the chancellor to let him know if they come across things in their research that shows ways the department can better communicate with and serve older adults. ○ He also encouraged council members to let him know if they know of or come across research or programs that they think should be brought to the attention of the council. He used the Village of Hope concept that council committee member Kathy Gillespie is involved with in Clearfield County, where they are building a dementia-friendly community. |
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| | | <p><u>Department of Human Services</u> – Jennifer Hale, Director of the Bureau of Policy and Regulatory Management for the Department of Human Services (DHS) Office of Long-Term Living, provided the following updates regarding Community HealthChoices (CHC):</p> <ul style="list-style-type: none"> • As noted at previous meetings, the commonwealth is moving into the third and final phase of CHC, which will begin on January 1, 2020. • DHS will finish the provider education sessions next week at Kutztown University. • The participant listening sessions also wrap up at the end of October. <ul style="list-style-type: none"> ○ There were 72 sessions for participants. • November 13 is the last day for participants to make a plan selection before the auto assignment process. <ul style="list-style-type: none"> ○ After auto assignment, participants will have until December 20 to change their plan in order for it to be effective on January 1, 2020. |
| 14 | Open Session & Announcements | <p>The following council members spoke during the open session portion of the meeting:</p> <ul style="list-style-type: none"> • Representative Pam DeLissio wanted to make the council aware that House Bill 1918, which seeks to enact a moratorium and establish a task force on the closure of state centers, was recently voted out of the House Health Committee along with a companion bill that came out of the Senate Health and Human Services Committee. Representative DeLissio explained that she voted against HB 1918 because she believes the legislation prevents the commonwealth from examining this issue in a meaningful way. She noted that the legislation, which was introduced in response to the proposed closure of the White Haven and Polk State Centers, should be part of the long-term care discussion given the average age and length of stay of residents in these centers. • Bob Marino informed the members that biotech company Biogen recently announced that it will be pursuing regulatory approval from the U.S. Food and Drug Administration (FDA) for aducanumab, an experimental treatment for early Alzheimer’s Disease (AD). Mr. Marino emphasized that this is a remarkable development as the Phase III studies of the drug had been previously discontinued but new analysis of a larger data set showed that aducanumab reduced clinical decline in patients with early AD. He also explained that Biogen plans to offer the drug to eligible patients who were previously enrolled in the clinical studies. |
| 15 | Adjournment | The meeting was adjourned at 2:07 p.m. |

New Action Items

| # | Action Item | Actionee(s) | Deadline | Status |
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| 1 | Chart comparing U.S. Department of Labor’s final overtime rule and the Pennsylvania Department of Labor and Industry’s (PA L & I) recently submitted final overtime regulation. | Robert Schramm, Esq. & Chuck Quinnan | ASAP | Completed |

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| 2 | Point of contact at PA L & I regarding questions pertaining to the aforementioned federal final overtime rule and the state final overtime regulation. | Robert Schramm, Esq. & Chuck Quinnan | ASAP | Completed |
| 3 | Link to PA L & I's overtime regulatory package and information on submitting comments to the Independent Regulatory Review Commission. | Robert Schramm, Esq. & Chuck Quinnan | ASAP | Completed |
| 4 | Dates, times, and locations of remaining Suicide Prevention Task Force Listening Sessions | Chuck Quinnan | ASAP | Completed |
| 5 | Various suicide-related data and information | Caitlin Palmer & Chuck Quinnan | ASAP | Pending |
| 6 | Data on suicide deaths among veterans | Andrew Ruscavage & Chuck Quinnan | ASAP | Completed |
| 7 | Council to review and provide feedback on the CHC 1915 (c) Waiver services and definitions to DHS | LTCC Committees & Full Council | Before new year | Completed |
| 8 | Utilization of behavioral health services, pre- and post-CHC implementation | Jennifer Hale & Chuck Quinnan | ASAP | Completed |
| 9 | The location of the Department of Human Services' November 8 public meeting on electronic visit verification (EVV) implementation | Jennifer Hale & Chuck Quinnan | ASAP | Completed |
| 10 | Rationale for implementing EVV for the Act 150 Program | Jennifer Hale & Chuck Quinnan | ASAP | Completed |