

PENNSYLVANIA
DEPARTMENT OF AGING
LONG-TERM CARE COUNCIL

EST. 2015

Meeting Minutes

LTCC Meeting Date: December 8, 2022

Start & End Time: 10:00 a.m. to 11:51 a.m.

Location/Format: Hybrid in-person and WebEx Meeting w/ Dial-In Option; PA Department of Aging (PDA), 555 Walnut Street, 5th Floor, Harrisburg, PA 17110-Executive Conference Room.

Council Members in Attendance

Nicole Anders, Adult Day Center Representative

Eric Beittel, Long-Term Care (LTC) Insurance Representative

Sen. Michele Brooks (*Designee*: Joan Bradbury) *

Janice Cameron, PA Council on Aging (PCoA) Representative

Maria Collett, Senator (*Designee*, Tom Holroyd)

Representative Gary Day (*Designee*: Shannon Walker)

Glenda Ebersole, Executive Director LTCC

Mark Gusek, LTC Managed Care Representative

Insurance Commissioner Mike Humphreys (*Designee*: Katie Merritt) *

Acting Secretary of Health Dr. Denise Johnson (*Designee*: Susan Coble)*

Diane Menio, Caregiver Representative

David Nace, MD, LTSS Physician Representative

Shane Nugent, For Profit LTC Representative

Teresa Osborne, Consumer Advocacy Representative

Vini Portzline, Center for Independent Living of Central PA, LTSS Consumer

Rep. Steve Samuelson (*Designee*: Charles (Chuck) Miller)*

Missy Shupe (Wyatt), LTSS Consumer Representative

Adrian Peter Sipes, PA Bar Association, Elder Law Section Representative

Acting Sec. of Human Services, Meg Snead (*Designee*: Jennifer Hale)*

Robert Torres, Council Chair, Secretary of Aging

Kimberly VanHaitsma, PhD - Academic Research Representative

Robin Wiessmann, PA Housing Finance Agency Executive Director/CEO (*Designee*:
Danielle Rudy)*

Heshie Zinman, Consumer Advocacy Representative

Mark Baylis, State Veterans Commission Designee

Margie Zelenak, Assisted Living/Personal Care Home Representative

Samella Hudson-Brewton, Senior Community Center Representative

*Attended on member's behalf

Council Members Not in Attendance

Shona Eakin, LTSS Consumer Representative

Sec. of Transp. Yassmin Gramian (*Designee*: Danielle Spila)*

George Hartwick III, County Commissioners Assoc. of PA Representative
Lydia Hernandez-Velez, Consumer Advocacy Representative
Nancy Hodgson, PhD, RN, Academic Representative
Robert Marino, Caregiver Representative
MG Mark Schindler, The Adjutant General (*Designee*: Travis Davis)
Mike Sokoloski, Homecare Representative
Lon Wible, Area Agency on Aging (AAA) Representative
Matt Yarnell, Consumer Advocacy Representative
Megan Stedjan, Nonprofit Skilled Nursing Facility Representative

PDA Staff in Attendance

Stephanie Cole, Special Assistant to the Secretary
Karen Gray, Communications Director
Emily Holladay, Deputy Director
Steven Horner, Deputy Secretary
Daniel Myers, Legislative Director
Sasha Santana, Executive Secretary

Committee Members & Guests in Attendance*

Carl Berry
Katie Dotto
Britte Earp
David Golin
Natalie Krak
Jess Machler
Caolinn Martin
Rebecca May-Cole
Louis Wolkenstein

**Only the attendance of members and guests who logged into the meeting via the WebEx platform can be captured unless the individual indicated otherwise.

Discussion Items and Summary

Welcome & Approval of Meeting Minutes

Secretary Torres opened the meeting with a welcome to members and attendees and made the following announcements:

- LTCC Membership updates are as follows:
 - Vini Portzline and Janice Cameron have agreed to be reappointed to the council for another term.
 - Several members will be transitioning off the council due to retirements and Secretary Torres is working with Governor's Office to appoint new members.
 - Secretary expressed his appreciation and thanked council members who have served on the LTCC and whose terms have expired as well as those who will continue to serve and those who are retiring.
- Transition to Shapiro Administration is in progress. Can expect announcements on changes within the next few weeks.
- Secretary Torres recommends that council identifies policy initiatives to focus on for the next few years.
 - Secretary shared the scope of topics that can be discussed as follows:
 - Regulatory review, Access to quality care, Community access and public education, Long-term care services, models and delivery, workforce, housing, behavioral health issues of senior citizens (at least 60 years of age).

Approval of Meeting Minutes

A motion was made by Mark Gusek and seconded by Diane Menio to approve the October 13, 2022, minutes. The minutes were unanimously approved.

Commonwealth Updates

PA Department of Insurance

Mental Health Commission

Natalie Krak, Deputy Secretary of Policy and Planning, Governor's Office

- Natalie provided an update on the collaborative efforts of agencies and subject matter experts to consider how to spend ARPA dollars.
- Natalie elevated Secretary Torres recommendation in relation to the scope of topics for the

council policy initiatives, highlighting that there is great opportunity for this group to utilize existing expertise and make recommendations on the needs of older adults supporting behavioral health needs in various settings.

Q: When do the ARPA funds need to be spent by?

A: Funds need to be committed by 2024 and spent by 2026.

Katie Merritt, Policy Director, PA Department of Insurance

- Act 54 of 2022 was shared and included a breakdown of the 20 focus areas.
- Katie shared the history of the Commission, highlighting the 24 members and the agencies they represented.
- Four meetings took place from August – September 2022.
- The Commission recognized the need for focus on older adults.
- Six recommendations included the following breakdown:
 - Workforce Development - \$37 Million
 - Service Expansion – \$39 Million
 - Criminal Justice - \$23.5 Million
 - Evaluation Research - \$500,000
 - Form a Commission for improving BH System
 - Increase County Base Funding
- Next steps:
 - None of the recommendations were acted upon by the legislature
 - Language must be introduced
 - Senate hearing in November 2022
 - Representative Schlossberg co-sponsorship memo introduced on December 1st.
 - Recognize need for the Commission to focus on older adults and children.

Q: How does the council get copies of these slides?

A: Sent to commission members. Natalie provided the link to access the public report.

Q: How do agencies apply for funds?

A: Agencies are unable to apply for funds. No current guidance. More direction to follow once actions from the legislature take place.

Comment: PDA already expresses interests in supporting the mental health commission and their initiatives.

Comment: Secretary Torres provided us a charge for the next year and I think this is very important as we've been advocating for years on this initiative for older adults and this is our opportunity to do that.

PA Department of Community & Economic Development

Britte D. Earp, Infrastructure Implementation Coordinator

- **Affordable Connectivity Program (ACP)**
- Aimed at addressing Internet accessibility issues nationwide by lowering the cost for economically vulnerable individuals and households
- There are over two million households in Pennsylvania that meet the criteria
- 24% to date have applied.
- Bipartisan Infrastructure law went into effect November 2021.
- One pager shared to the council.
- Two step enrollment process
- Purpose for presentation today is to get the message out to eligible individuals.

Benefits of program:

- Offering up to \$30.00 per month off Internet cost
- Up to \$100.00 off a device such as a tablet or laptop for some participating providers
- Limited to one monthly service discount and one device discount per household.

FCC Grants available:

- ACP Outreach Grant opportunities
- Applications are due by January 9th, 2023
- More information can be found [here](#).
- ACP contact information
 - 1-877-384-2575
 - www.Fcc.gov/acp

Q: Understanding we're in limbo with a legislature currently, is there a plan to work with the legislature offices to ensure their advertising in their newsletter's, social media, etc. and their district offices to get the word out?

A: Yes, working with the caucuses to set up a legislative briefing in January. The materials have been shared out through the broadband development authority with the legislature.

PA Department of Health

Susan Coble, Deputy Secretary of Quality Assurance

- As of June 30, 2022: 683 nursing homes in the state of Pennsylvania.
- Since 2020, 9 facilities closed out of 86,813 licensed beds
- **June 2022:**
- 2,465 total surveys completed
- 352 licensure full health house surveys

- 753 revisits
- 1,980 on-site visits (complaints and Covid-19)
- 88 Covid-19 surveys

PA Department of Aging (PDA) - Secretary Torres reported on the following updates:

- **Commonwealth Transitions** - likely to see new chairs of oversight committees and General Assembly.
- **Older Adult Protective Services Act (OAPSA)** – Still remains a PDA priority and will be ready to engage when transitions are completed.
- **Financial Exploitation (FE) Taskforce** – Law Enforcement Training took place on October 25, 2022, at the PA Farm Show Complex as a joint effort conducted by PDA, Office of Attorney General, DHS and Temple University providing resources and tools to law enforcement to investigate financial exploitation cases. Approximately 150 were in attendance learning more in-depth how to engage with AAA’s.
- **Alzheimer's Disease and Related Disorder Forum (ADRD)** - On November 3rd, 2022, Pennsylvania Department of Aging held the annual ADRD forum. Highlighting best practices in Pennsylvania. This event was very well attended as a virtual session.
- **Health Information Exchange (HIX)** – New platform development of a care plan registry being updated and implemented. Meeting with DOH and DHHS. Will be having discussions. Exploring opportunities to identify elder abuse based on health information that is available to review.
- **Advisory Council on Elder Justice in the Supreme Courts** - Administration for Community Living (ACL) awarded the PA Supreme Court a 3-year grant to evaluate and improve the PA Guardianship system. Moving steadily to hire staff. Planning a summit on guardianship in the Fall of 2023. Will keep the council updated on next steps.
- **State-wide Workforce** – Highlighting the continued need to address workforce issues.

PA Department of Aging – Karen Gray, Communications Director

Overview of provided on the Education and Outreach Campaign

- Raise awareness of the PA Link and variety of services and supports.
 - **PA Link to Aging and Disability Resources Campaign**
 - Incoming phone calls rose to 50%.
 - Noted a high level of engagement on the website.

- **PA Medi Campaign**
 - PA's Medicare enrollment benefits counseling program
 - 2021: rebranded from APPRISE as PA MEDI
 - 2022: Initial Media Campaign – included radio, digital to promote open enrollment that ran from October 15, 2022, through December 7, 2022.
- **Financial Exploitation Awareness Update**
 - Phase One: Launch of www.aging.pa.gov/fe
 - Phase Two: Launch of Original Resources
 - Phase Three: Development of Paid Media Outreach
 - Education and Resource Video previews
- **Older Adults Benefits & Rights (B&R) Booklets** – Benefits and Rights booklets are available in English and Spanish and have been distributed to local AAA, stakeholders and are available by request.

Comments: Diane Menio shared that the PA Senior Medicare Patrol (PASMP) program is a sister program to PA Medi, that alerts individuals of fraud. Currently processing several fraud cases.

Contact Diane for individuals wishing to learn more.

PA Department of Human Services (DHS) – Jennifer Hale, Director of the Bureau of Policy and Regulatory Management for DHSs Office of Long-Term Living (OLTL), provided departmental updates as follows:

- **OBRA/CHC Waiver:**
 - On August 15, CMS approved an OBRA waiver amendment to increase personal assistant service rate by 8% as part of ARPA spending plan. Appendix K amendments have been in effect since January 2022.
 - Amendments to waivers with proposed changes was sent out to public for comments on November 14, 2022.
 - Detailed presentations were presented at management long-term services and Support Sub Committee meetings in October 2022 and November 2nd.
 - Information is posted on the DHS website.
 - Public comments being accepted until December 14, 2022.
- **Living Independence for the Elderly (LIFE) Program:**
 - On December 5th, communicated through list serve plans to expand LIFE into multiple counties. Effort to offer LIFE program as an enrollment option to seniors statewide. A notice was published in the Pennsylvania Bulletin on December 3rd, that outline the plans for expansion and the instructions on application to the OLTL. Responses are due back to OLTL within 90 days of issuance of the PA Bulletin.

- **Home & Community based providers:**
 - Distribution of remaining Act 54 funding.
 - OLTL sent approx. \$989 Million in both Cares Act and ARPA funding per legislative directives.
 - Working on nursing facility payment Increases effective in January 2023.

Q: the waiver amendments include adding agency with choice to the waivers with FMS, is this permissible with the agency with choice program still in court? Has the court appeal been settled?

A: Can't speak to appeals. No other details on the procurement to provide. One thing they will have to do if delayed, is submit the amendment in December and put on hold until a future date until the procurement is resolved.

Open Session

Comments were provided by Annette Melovitz expressing her experiences and concerns of the deficiencies within the LTC nursing home settings experienced with her own father.

Asking for a review and request of:

- Staff training – suggesting that training is completed twice a year
- Residents' rights – posted in facilities and rooms being shared with older Pennsylvanians.

Q: Can we have a policy for video in facility residents' rooms?

A: Unsure.

Comment: Clarified that cameras in hallways, etc. could assist with issues that are happening in facilities.

Comments: Secretary Torres thanked Annette Melovitz for sharing her concerns with the LTCC.

Comments: Diane Menio agreed that the concern about residents' rights are a serious issue. There are new regulations passed on resident's rights and this advocacy will continue.

Comments: Susan Coble personally agreed with the concern about resident's rights.

Adjournment

The meeting was adjourned at 11:51 am

The next LTCC meeting is scheduled for Thursday, February 9, 2023.