

Board of Directors Meeting
Board on Aging and Long Term Care
Conference Room 100
Madison, WI 53704
May 10, 2017

Chair James Surprise called the meeting to order at 9:00 am. It was noted that this meeting was properly noticed under the Open Meetings Notice law.

Members Present: James Surprise Dr. Dale Taylor Mike Brooks
Dr. Valerie Palarski Tanya Meyer Eva Arnold
Barbara Bechtel

Members Excused:

Staff Present: Heather Bruemmer Kellie Miller Vicki Buchholz
Kim Marheine Vicki Tiedeman Jenny Knudson
Jill Helgeson Rich Eggers

Guests Present: **Carrie Molke, Director, Bureau of Aging and Disability Resources, Department of Health Services (DHS), Cindy Ofstead, Director, Office on Aging (DHS), Kevin Coughlin, Policy Initiatives Advisor – Executive, Division of Medicaid Services (DHS).**

Agenda: Approval of agenda as submitted M/S/C Palarski, Taylor, Brooks

Minutes: Minutes of the February 1, 2017 board meeting were approved as presented. M/S/C Bechtel, Surprise, Taylor

Remarks by a Board Member: Tonya Meyer

Ms. Meyer provided remarks about Medicare coverage and the Marketplace. It's not well known that consumers can get into Medicare if they are already in the Marketplace. It is open enrollment until September 30th, and consumers are waiting to see what happens to the Marketplace before they enroll in Medicare Part B. The Social Security Office is expecting many consumers trying to get in Medicare Part B between September 1st and September 15th. This will cause a crisis situation at the Social Security office because of staff shortages and the consumers are already waiting seven weeks for an appointment. The time is now to see what the opportunities are. Discussion ensued and a motion was made regarding having a press release on the issue, and to put the information on the Board on Aging and Long Term Care (BOALTC) website to steer consumers to the Medigap Helpline as soon as possible. M/S/C Surprise, Brooks, Taylor

Presentation: Carrie Molke and Cindy Ofstead, Bureau and Office Directors in Aging and Disability Resources give overviews and updates in the Department of Health Services (DHS).

Ms. Molke noted that the Bureau of Aging and Disability Resources became part of the larger Division of Public Health and shares the bold vision of "Everyone Living Better, Longer". They

are collecting and using data to make improvements for the citizens of Wisconsin. The Healthiest Wisconsin new priorities are: 1. Alcohol use, 2. Suicide, 3. Tobacco use, 4. Opioids Abuse, 5. Physical Activity and Nutrition.

Ms. Molke provided information about the Dementia Redesign initiative and how they were making progress and working with their partnerships. In 2018 they will hold a Summit and create a new plan.

Ms. Molke spoke about the role of ADRCs which is to 'Prevent and Delay' the need for public funds. They will be collecting strong data and will be monitoring the program.

DHS will be holding a conference in September for Wisconsin Aging and Disability Communities.

DHS, Division of Public Health has been accredited for excellence for the hard work they have performed. Staff enjoys working with an organization that cares about the quality and standards of the people they serve.

Ms. Ofstead spoke of a national conference with Adult Protected Services, held in Milwaukee this August, covering a variety of subjects. The BOALTC has been very involved with collaborating and providing input for the conference.

A new initiative is being pursued for better response for crisis in long term care facilities. DHS is working with many partners especially the BOALTC staff to resolve this issue. DHS is trying to change the way crisis is handled and build a better response. Experiences with previous cases have driven the changes in policies.

There is a proposed federal budget cut, specifically the cut to SHIP funds. Current cuts to the program may be a predecessor to future elimination of the program outright.

DHS has partnered with the WI Department of Justice (DOJ), looking at financial exploitation and other types of abuse. DOJ is looking at collaborating with all law enforcement throughout the state.

Ms. Bruemmer proposed contacting the Attorney General's Office to discuss five years of data and cases of elder abuse from the Ombudsman Program. M/S/C, Meyer, Taylor, Brooks

Presentation: Department of Health Services, Mr. Kevin Coughlin, Policy Initiatives Advisor-Executive, Division of Medicaid Services, Program Updates

Wisconsin Coalition for Collaborative Excellence, DHS collaborates with many organizations to provide better care and quality improvement. Mr. Coughlin spoke of Centers for Medicare & Medicaid Services (CMS) funded projects and the Wisconsin partnership grant.

Nursing Home Scorecard- Clinical Resource Center, DHS has been collecting data on resident satisfaction since 2011. The coalition continues to develop and refine the program based on outcomes.

Music & Memory grant is one of the many current projects DHS is working. The program was recognized as a 2017 semi-finalist in the Innovations in American Award Program.

Mr. Coughlin spoke of the Wisconsin Caregiver Career Program, new Civil Money Penalty funded project designed to encourage Wisconsinites to enter caregiver careers. Partnership with BOALTC, nursing homes, Wisconsin Health Care Association, Wisconsin Technical College. The goal is to hire an additional 3000 certified nursing assistants.

Volunteer Services Update: Kellie Miller, BOALTC Volunteer Services Supervisor

Ms. Miller introduced Jenny Knudson, a newly hired Volunteer Coordinator for the La Crosse region. Ms. Knudson shared information about herself, and the Volunteer Ombudsman Program in her region thus far, highlighting the recruitment of 7 potential new Volunteer Ombudsmen.

Ms. Miller shared the news regarding the recipient of the 2017 Louise Abrahams Yaffe Volunteer Ombudsman Program Award. Mr. Dale V Sankey received the prestigious award during the Alzheimer's Association 31st Annual Wisconsin State Conference on May 7, 2017. Thank you, Board Chair, Mr. Surprise for presenting Dale with the award during the banquet.

The month of April is designated as National Volunteer Recognition month. Ms. Miller's team conducted five regional Volunteer Ombudsman Program (VOP) Recognition events to show appreciation to all of the Volunteer Ombudsman. Ms. Kari Orn, Silver Alert Coordinator, of the WI DOJ was the guest speaker at all five events. Ms. Orn was so impressed with the Volunteer Ombudsman Program that she attended a new Volunteer Ombudsman Program Initial Training in Madison. Thank you to Board Member, Mr. Brooks, for participating in the Appleton Volunteer recognition event.

New VOP Trainings were conducted in Madison and Green Bay in April and more trainings are scheduled for Milwaukee and La Crosse in June and July.

Community outreach and education is taking place in all assigned regions by the Volunteer Coordinators.

Ms. Miller manned the exhibit booth at the Alzheimer's Conference in May, and over 150 people stopped at the VOP booth to pick up materials and discuss their concerns.

Medigap Helpline Update: Vicki Buchholz, BOALTC Medigap Helpline Services Supervisor

Ms. Buchholz reported the Medigap Helpline has been very busy assisting 1873 callers so far this year.

As of early May, staff has participated in 17 outreach events. Staff will be targeting counties that the BOALTC hasn't had a presence in the past 10 years.

Ms. Buchholz reported that trends have shown drug cost to be more for the consumer. Costs under Medicare Part D coverage continue to rise. It has been noted that drug co-pays are

almost as high as the actual cost of the drugs themselves. Another trend is an increase in premiums for supplemental policies. Many policies have limitations that are allowed by the Office of the Commissioner of Insurance (OCI).

The Madison Volunteer Program has been very successful this past year in working with pharmacy students who run plan finders. This has been very helpful to the Part D program to allow BOALTC Medigap staff to keep up with the volume of calls.

Mr. Brooks suggested sending a letter to the UW, thanking them for their support.
M/S/C Brooks, Meyer

Ombudsman Services Update: Kim Marheine, BOALTC Ombudsman Services Supervisor

Ms. Marheine reported the former vacant ombudsman position has been filled, with a start date of June 12th for the new ombudsman.

Ombudsman staff are in high demand for workshops and conferences. Frequent topics are Sexuality & Intimacy, Residents Rights, Roles and Responsibilities of Substitute Decision Makers and End of Life Choices.

Ombudsman continue to work with DHS Division of Quality Assurance (DQA) and nursing home providers to meet the Phase One requirements of the CMS-issued revised regulations. The ombudsman find it is a good networking opportunity.

Ms. Marheine continues to watch trends in Family Care casework impacting enrollment and functional eligibility. She also continues to monitor the budget process as it relates to potential new positions dedicated to IRIS.

BOALTC staff met with Representative Mike Rohrkaste to provide details on agency work regarding 5 years of data concerning cases alleging abuse, neglect and exploitation.

Participation continues in workgroups with DHS - DQA, to insure the rights of residents and Family Care members.

Ms. Marheine and Ms. Bruemmer attended the National Ombudsman Resource Center training conference, interfacing with other ombudsman from 48 states. They received several requests for information on various aspects of long term care advocacy, especially as it relates to managed long term care.

The numbers of complaints that Ms. Marheine has received about insufficient staff or staff not appropriately trained continue to rise. Recent cases involved residents that experienced falls, pressure injuries or were alleged to have been abused by other residents.

Twenty-eight immediate jeopardy cites have been noted since the February board meeting. Of these cites, four involved instances of sexual abuse, psychosocial and physical abuse.

Nursing home closures continue to be challenging, especially one in particular due to its location. Ombudsmen and DQA staff have been onsite to insure rights are respected, and care and treatment occurs.

Comments from the Public: No comments from the public were received.

Administrative Report and Legislative Update: Heather Bruemmer, BOALTC Executive Director

Ms. Bruemmer shared the legislative update to members of the Board on behalf of BOALTC Counsel Christopher McElgunn, as he was unable to attend the meeting.

Ms. Bruemmer gave an update on financials for the Agency. The Joint Committee on Finance (JCF) reviewed the BOALTC biennial budget for 2017- 19. The Committee approved to increase funding for lease costs and the addition of 2.0 FTE ombudsmen for the I Respect, I Self Direct Waiver Program (IRIS). Statutory changes submitted through the Governor's budget were approved without discussion.

The management team is complete and vacancies have been filled. Work has begun on new initiatives and a Strategic Team Training is planned for June.

Ms. Bruemmer continues to meet with management staff to review the new Federal Ombudsman Rule. Ms. Marheine, Ms. Miller and Mr. McElgunn have done an exceptional job in the implementation of the rule.

Ms. Bruemmer continues to meet with DHS, Office of Aging to discuss ombudsmen program updates on a monthly basis. The Office on Aging manages the Older American Act dollars and has responsibilities that will be reviewed once the regulations are fully implemented.

Ms. Bruemmer and Mr. McElgunn met with members of the JCF. All members were receptive to the Board's needs and thanked us for our work. The next step in the budget process is to meet with the members of the WI Assembly and Senate to review the BOALTC 2017-19 biennial budget recommendations from the JCF.

Ms. Bruemmer chairs the Long Term Care Advisory Council and is working with and meeting with DHS Secretary Linda Seemeyer.

Ms. Bruemmer, as the Patient Care Ombudsman continues to monitor a provider who is in Bankruptcy. She provides a report to a Federal Judge every 60 days. Her priority is to ensure consumers receive quality care and services.

Ms. Bruemmer and Ms. Marheine attended the annual State Ombudsman Meeting in May. Some of the highlights were the new Ombudsman Rule, the future of Administration of Community Living, and the new nursing home rules.

The Ombudsmanager database program sole source application was approved by DOA Procurement for FY17-18.

On April 5th, Attorney General Brad Schimel hosted a three hour listening session on Elder Abuse with many stakeholders present.

Ms. Marheine did an outstanding job compiling data for Representative Rohrkaste on elder abuse complaints. Data was reviewed with the Representative's staff member, Tyler.

Ms. Bruemmer raised the issue of companion bills put forward in the WI Senate and Assembly related to assisted suicide. The bills identify the BOALTC as a necessary component to witness the signing of required documents by an individual requesting a medical procedure to end their life.

Board members discussed the potential conflict of interest these bills would have with BOALTC Policy and the laws that support those policies. The BOALTC forbids ombudsman staff from witnessing the signing of other similar documents, such as health care power of attorney designation.

In addition to the conflict of interest issue, Board members discussed the lack of medical expertise to assess end-of-life situations and whether involvement exceeds the BOALTC's social service based mission.

Ms. Bruemmer put forward the idea of meeting with the bill(s) authors to obtain more information and discuss why they believe the BOALTC should be involved in the assisted suicide process. Board members indicated their approval of this course of action.

The Board made a motion to not support the assisted suicide bill(s), as currently written. Additionally, the Board directed Ms. Bruemmer and appropriate management staff to meet with any necessary parties and report back to the Board as soon as it is practical.

Motion made by Mr. Brooks, Seconded by Mr. Taylor and the Board voted unanimously.

Discussion of the bill, as whole, was tabled for a future time to be determined.

Ms. Bruemmer brought forward the potential legislation of the reduction in "Certified Nursing Assistant" training hours from 120 to the Federal requirement of 75 hours. She stated back in 2008, the hours were increased from 75 to 120 and it would be a detriment to the consumers we serve to have any reduction of the current training programs. The training for dementia and challenging behaviors along with resident rights were the hours added back in 2008.

The Board discussed this in great length and felt it would be a disservice to the consumer as well as the caregiver to reduce any of the training.

The Board recommended meeting with the appropriate parties at the capital to discuss this and share our position on the matter.

The Board made a motion to not support the reduction in training hours for the "Certified Nursing Assistant" Program from 120 to 75 hours.

Motion made by Ms. Bechtel, Seconded by Ms. Meyer and the Board voted unanimously.

New Business: No new business was brought before the Board.

Next Meeting Date: August 2, 2017; Dr. Valerie Palarski will offer Remarks from a Board Member.

Future Meeting Dates: November 1, 2017

Adjournment: Meeting adjourned at 2:30 pm; M/S/C Arnold/Palarski

Respectfully submitted,
Vicki Tiedeman, Recorder