

Board of Directors Meeting
Board on Aging and Long Term Care
4402 E Washington Ave
Madison WI
and virtually via Teams
February 8, 2023

Acting Chair Abigail Lowery called the meeting to order at 9:30 am. It was noted that this meeting was properly noticed under the Open Meetings Notice law.

Members Present: Tanya Meyer Dr. Dale Taylor Abigail Lowery
Dr. Khyana Pumphrey Dr. Valerie Palarski

Staff Present: Kellie Miller Vicki Buchholz Kim Marheine
Jessica Trudell Vicki Tiedeman Rachel Selking
Kristen Johnson Nancy Studt Jenny Bielefeldt
Jessica Toscano Cheryl Zautcke Sharon Cline
Jill Helgeson Kathi Miller Sheryl Meyer

Agenda: Approval of agenda as submitted M/S/C (Palarski/Taylor)

Minutes: Minutes of the November 9, 2022, Board meeting were approved as presented M/S/C (Lowery/Taylor)

Presenters:

Relocations and Closures, Nancy Studt, Relocation Ombudsman Lead, Jenny Bielefeldt and Jessica Toscano, Regional Ombudsmen

Ms. Studt spoke broadly about the status of closure and resident relocation activities of nursing homes and assisted living communities. She provided some comparison information regarding numbers of closures and reasons for closures and outcomes and emerging trends. Ms. Studt provided examples of the types of assistance she gives to both providers and regional ombudsmen.

Ms. Bielefeldt and Ms. Toscano provided examples of casework that has occurred in their roles in resident relocations. Both noted that while Ms. Studt oversees the issue advocacy aspects of relocations, as Regional Ombudsmen they provide individual assistance such as attending care conferences and ensuring rights to notice, planning, and participating in choosing a new home are respected. Both spoke of how personally impactful the individual stories of residents can be during a closure.

Medigap Annual Enrollment Period, Cheryl Zautcke, Medigap Counselor and Sharon Cline, Medicare Part D Counselor.

Ms. Zautcke presented on the following:

- Discussion of 2022's Medicare Annual Election Period (AEP), October 15 through December 7, where changes are made related to Medicare Advantage and Medicare Part D drug plans also called "Fall Open Enrollment").

- Callers use the AEP to compare Medicare Advantage/Part D plan options. Counselors still receive calls from those with non-AEP issues: starting Medicare due to age, disability, ESRD; retiring needs; loss of Medicaid; Medigap Premiums increasing; or Long-Term Care Insurance. Other insurers have their enrollment/election periods currently as well ie. State of WI's "It's Your Choice"; Federal Employee Health Benefits; other employer's annual open enrollment periods; and Military coverages such as Tricare.
- Increased calls from persons impacted by loss of coverages, including WEA company who terminated all their health care offerings as of 12/31/2022 affecting thousands of beneficiaries in Wisconsin; Medicaid's Unwinding Process with the Public Health Emergency coming close to ending.

Ms. Cline presented on the following:

- Consistent changes in formularies and pricing of the prescription drugs adds to the amount of confusion when helping beneficiaries select their drug plan for the following year.
- Termination of the WEA Health care coverages w/RX
- WPS terminating their drug plans

Senior Medicare Patrol, Ingrid Kundinger, MBA, Senior Medicare Patrol Project Manager, Greater Wisconsin Agency on Aging Resources (GWARR)

Ms. Kundinger presented on the following:

Medicare Fraud: Important Things for You to Know

- Medicare fraud, abuse, and errors is a billion-dollar industry.
- Senior Medicare Patrol overview
Wisconsin program: housed at the Greater Wisconsin Agency on Aging Resources (GWAAR). Federally funded grant program through the Administration for Community Living (ACL). Volunteer focused. Free and confidential services/resources.
- The SMP Mission is to empower and assist Medicare beneficiaries, their families, and caregivers to prevent, detect, and report health care fraud, errors, and abuse through outreach, counseling, and education.
- Trends/Concerns in Wisconsin
New Medicare Card Scam Calls
Durable Medical Equipment Scams
Genetic Testing Scams
COVID-19 At-Home Test Kit Scams
Misleading Marketing of Medicare Plans
- Medicare Fraud: What can you do?
Protecting your personal information is your best defense against health care fraud.
- Review Medicare Summary Notices (MSNs) and other statements for:
 1. Services you didn't receive
 2. Double billing
 3. Services not ordered by your doctor
- Use SMP My Health Care Tracker
Record doctor visits, tests, and procedures in this tracker, and take it with you to your appointments. Compare your MSNs and other statements to your tracker to make sure they are correct.

REPORT

- Call the provider.
- Gather information and documentation.
- Contact the Wisconsin SMP.

Working with Volunteers

- Staff tables at events and Fairs
- Give presentations.
- Answer calls on toll-free Helpline

Program Updates:

Volunteer Services Update, Ms. Miller, Volunteer Services Supervisor

Ms. Sheryl Meyer, Volunteer Coordinator, was introduced and shared information with the Board Members.

General Volunteer Ombudsman Program updates:

The Volunteer Ombudsman Program (VOP) is pleased to announce that five volunteer ombudsmen were nominated for the 2023 Louise Abrahams Yaffe Volunteer Ombudsman Program award. The award recipient will be selected by the Executive Board Members and will receive their prestigious award this May during the Alzheimer's conference awards banquet.

The Volunteer Ombudsman Program is conducting monthly large group virtual training sessions to achieve the Volunteer Ombudsmen training requirements of the Administration of Community Living (ACL). The large group sessions are well received and follow with small group meetings for further updates and discussions.

Outreach/Recruitment:

Volunteer Coordinators have been manning agency exhibit booths and presenting information on the VOP at a variety of senior and wellness fairs.

The next steps post recruitment are the thorough screening process for interested applicants to become Volunteer Ombudsmen. Requirements include passing the mandatory Background Information Disclosure (BID) check and the Conflict of interest (COI) screening.

Volunteer Ombudsman Program Staff:

The Volunteer Ombudsman Program staff routinely attend relevant educational trainings, including the November in-person FOCUS conference.

Medigap Helpline Program Update

Ms. Buchholz, Medigap Helpline Supervisor reported on following:

The Medigap Helpline Programs finished off 2022 with an estimated 10,435 calls, helping 10,736 persons with their Medicare related questions.

Public Health Emergency Updates: Tentative date of the ending of the PHE would be mid-April, depending on if the PHE is deemed over, or if there is another extension to the PHE. The federal government will give states 60 days' notice when the PHE will end, and if it doesn't end, there could be another 90-day extension. If slated to end mid-April, then we would get a notice by mid-February.

The month the PHE ends would be the month notices go out to Badgercare Plus members who started Medicare to have them follow with a review to reapply for EBD Medicaid as they will be losing Badgercare Plus. They will have 45 days to respond and if they don't Medicaid will then end at the end of the following month.

Counselors have been instructed to watch for the notices that will be sent out by DHS for Medicaid renewals. The rest will be on a rolling system to spread out the numbers of people going through the renewals to be completed by the end of 14 months.

Staff have been participating in outreach events. We have scheduled 2 virtual events and 1 in person event in Milwaukee to meet and share program information with many of Milwaukee resources.

We have filed 6 complaints to CMS for persons who were enrolled into the incorrect Prescription Drug plan or Medicare Advantage plan. We have been able to resolve 3 of the 6, the others had failed to read their notices/mail. Last year we filed 34 CTM's with 33 resolved in the beneficiary's favor.

OCI Complaints: Mid 2021 we started sending agent complaints to OCI. We are seeing more results in agents being penalized for misrepresentations or enrolling a person without permission. We are also seeing more interest from CMS in their oversight of the Plans to assure they are not misleading beneficiaries and solely using the "extra benefits" to entice beneficiaries to their products.

Updated changes in Medicare Enrollments: Initial Enrollment and General Enrollment timeframes have changed to no longer require the delay of months before Part B would begin.

Changes are also starting with respect to Medicare Prescription Drugs and insulin with no copays being over \$35 per month in all plans. Vaccinations are also no copays if received by a network pharmacy. There will be additional changes going forward through 2025.

Ombudsman Services Update, Ms. Marheine, Ombudsman Services Supervisor and Ms. Selking, Assistant Ombudsman Services Supervisor

Ombudsman Services Report

Ms. Marheine thanked the ombudsman staff for their work, noting in particular the higher than typical rate of calls to the toll-free line and web-based complaint system. Noting fall to be a peak

time for presentations, she noted that several staff participated as presenters at the annual DQA FOCUS Conference in November, among other opportunities.

Thanking the staff who presented about closures and relocations, Ms. Marheine indicated this to be an area of potentially emerging trends to monitor. Additional areas of issue advocacy discussed included a Customer Service initiative in partnership with DQA and the provider associations and monitoring the “unwinding” of the Public Health Emergency, which will impact all persons enrolled in the Medicaid program. Ms. Marheine stated that the annual Older Americans Act Performance System (OAAPS) report to the Administration for Community Living (ACL) was filed, representing the past fiscal year’s work of the Ombudsman Program and the Volunteer Ombudsman Program.

Regarding facility monitoring activities, Ms. Marheine reported on the number of Immediate Jeopardy (IJ) cites for the past quarter, and the status of bankruptcies being monitored as Patient Care Ombudsman.

Legislative Report, Kristen Johnson, Counsel to the Board

Wisconsin:

At the 2023 State of the State address on January 24, Governor Evers announced he would be proposing a \$50 million investment to bolster Wisconsin’s healthcare workforce, which includes expanding Wisconsin’s long-term care providers, increasing the number of mental health providers and psychiatrists, and expanding the Wisconsin Nurse Educator program to provide high-quality education for future nurses. Governor Evers also announced he will be including his previously proposed plan to create a caregiver tax credit and expand the Child and Dependent Care Credit in his budget proposal.

The full 2023-2025 executive budget proposal will be announced following the Governor’s Biennial Budget Message to the Legislature on February 15, 2023. The proposed budget will then go to the Legislature for consideration.

Guardianship Training

2021 Wisconsin Act 97 created a training requirement for proposed guardians. The University of Wisconsin – Green Bay received the grant from DHS to develop, administer, and conduct the training. The training is provided at no cost and can be found at UWGB’s website. BOALTC staff will continue to work with DHS and UWGB to review content and suggest revisions or modifications determined to be appropriate.

Federal:

The Social Security Administration announced that the Social Security cost-of-living adjustment (COLA) for 2023 is 8.7%.

The Centers for Medicare & Medicaid Services (CMS) released the latest enrollment figures for Medicare on January 5, 2023. As of September 2022, 65,103,807 people are enrolled in Medicare in the United States, an increase of 160,823 since the last report.

Administrative Report, Jessica Trudell, Executive Director (ED)

Administrative Report

We are planning for use of Elder Justice and ARPA funds. Older Americans Act Title VII funding and SHIP received \$2 million dollar increase nationwide in FFY2023 federal omnibus bill.

I was interviewed for and approved to join the Consumer Voice Leadership Council. I will be applying for membership on the DHS Long Term Care Advisory Council. I conducted visits with our US Senator's offices for program and systems advocacy. I attended the Consumer Voice conference in Baltimore, Maryland in fall 2022.

Regular meetings with DQA, DOA and OCI continue to occur. One Board vacancy. Per our statute, member cannot have worked for long-term care provider in past five years, work for health insurance company or have other similar conflicts.

Dr. Pumphrey has been appointed by the Governor and is pending Senate confirmation.

Permission requested for Jessica Trudell and Kim Marheine to attend the 2023 Consumer Voice Conference which will occur on October 30, 2023, through November 1, 2023, in Baltimore Maryland and the State Ombudsman Conference which will occur on May 8, 2023, through May 11, 2023, in Nashville, Tennessee. Motion and approved as presented.
M/S/C (Palarski/Taylor)

Comments from the Public

No comments from the public.

2023 Board meeting dates: May 4, 2023, August 2, 2023, November 1, 2023

Adjournment: Meeting adjourned at 2:30 pm M/S/C (Taylor/Palarski)

Respectfully submitted,
Vicki Tiedeman, Recorder