



Aging Texas Well Advisory Committee

August 05, 2015 Meeting Notes

Desired Meeting Outcomes: To update ATWAC members and to receive their advice on work related to their charge under Executive Order RP 42, 2005.

<p>ATWAC Members Present Dr. Michèle J. Saunders, Chair Bruce Bower Dr. Beverly Donoghue Lori Henry Carlos Higgins April Young Amanda Fredriksen Mindy Noble Ann Woods Michael Wilson Nancy Walker Yvette Lugo (via telephone) Cindy Adams (via telephone) Andy Crocker (via telephone) Lynda Taylor (via telephone) Carol Zernial (via telephone)</p> <p>ATWAC Members Absent Michael Dailey Sara Ramirez Le Riggs</p>	<p>Guests Mary Pat Smith (TSHL capital area) Paul Stemco (TSHL capital area)</p> <p>DADS Staff Joy Borjes Jessica Conway Joyce Pohlman Sue Fielder Holly Riley Susan Lish Claire Irwin Chelsea Couch</p>
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Welcome and Opening Remarks

- Dr. Michèle Saunders, DMD, MPH, Chair, welcomed Aging Texas Well Advisory Committee (ATWAC) members
- Carlos Higgins, member, shared a scam that targeted a senior. *“The nice man gave it to me for free.”* is the message to the senior. In reality, Medicare and private insurance were billed, leaving a balance for the senior to pay out of pocket.
Resources:
Texas Senior Medicare Patrol: <http://www.texassmp.org/about-texas-smp.html>
AARP Fraud Watch Network: <http://www.aarp.org/money/scams-fraud/fraud-watch-network/>

A. Administrative Update

The May 06, 2015 meeting notes were reviewed. The following corrections were recommended:

- Yvette Lugo was on the phone for the meeting.

Ann Woods motioned to accept the minutes with above corrections. Bruce Bower seconded.

Motion passed.

These will be posted on the Aging Texas Well website.

B. 84th Legislature Recap

Joy Borjes, Center for Consumer and External Affairs Government Relations Specialist, presented an overview of the 84th Legislative session of the bills that effect DADS and DADS programs.

HB 39:

- promoted limited guardianship and alternatives to guardianship to attempt to reduce the number of people who are becoming wards of others

Effective September 1, 2015

HB 3823:

- DADS, HHSC and Program for All-inclusive Care for the Elderly (PACE) providers will look at PACE and Star+Plus programs to: identify similar service populations, compare costs and review outcomes
- requires HHSC to look at the PACE reimbursement rates to ensure that, while neutral to Star+Plus, rates will sustain the PACE program moving forward.

The DADS and HHSC report is due December 2016

HB 2588:

- requires the HHSC Executive Commissioner to adopt a definition of an Alzheimer’s certified facility
- requires facilities with this certification to be very explicit in their marketing and include an statement that the facility has this certification

Effective immediately; however, the requirements for disclosure not until after January 1, 2016 because we have time to develop what the statement/requirement will look like.

SB 512:

- requires a standard, basic form for filing wills in Probate Court

Effective September 1, 2015

SB 1664:

- allows individuals to save money to pay for qualified disability expenses



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- Texas Achieving a Better Life Experience (ABLE) funds will be administered by the pre-paid higher education board

Effective June 19, 2015

SB 304:

- requires DADS and HHSC to initiate license revocation of a facility with three violations at the immediate threat level (abuse, neglect or exploitation) in a two year period

Effective September 1, 2016

HB 1769:

- creates an expedited license process for assisted living facilities in “good standings” to begin operations
- with expedited licensure DADS would conduct only the life safety code inspection prior to facility opening

Effective September 1, 2015

SB 1881:

- pertaining to Supported Decision Making Agreement codified to be easier for individuals to access and file
- supporters are not allowed make decisions for an individual or access confidential information unless the individual specifically grants that access.

Effective June 19, 2015

SB 1882:

- establishes a bill of rights for people under guardianship
- this bill states that even if a person has a guardian, certain rights remain unless the guardianship order explicitly removes them

Effective June 19, 2015

SB 1999:

- changed the name of Adult Daycare to Day Activity and Health Services

Effective immediately

Sunset SB204

- DADS Sunset bill – did not pass.

Effective immediately.

Sunset SB200:

- HHSC consolidation bill – passed
- DADS functions and programs will transfer to HHSC in two stages.
 1. client services will consolidate by September 1, 2016
 2. regulatory and state supported living centers consolidate by September 1, 2017.
- Chris Adams, HHSC Deputy Executive Commissioner of Transformation Policy and Performance, will oversee consolidation.

Effective immediately

Budget

- Interest list has been significantly reduced. Attempts are being made to locate those still on the list, but some are proving difficult to locate. Additional ways are being investigated.

Tracking

- Q: How does DADS track bills and how do you find out and get included on the list?
- A: Joy provided a handout (See Attachment #1) and the link to the summary page:
http://www.dads.state.tx.us/news_info/publications/legislative/84thlegislativesummary.pdf



C. State Long-Term Care Ombudsman Division Update

Jessica Conway, Ombudsman Policy Liaison, provided the following updates:

- February 2015 the Ombudsman federal rule was issued. As agencies consolidate, Ombudsman will be mindful of any new conflicts of interest - federal rule requires the identification conflicts and the development of a remedy plan. Ombudsman must be clearly identified as separate and independent to the agency. The federal rule also includes provisions for interference. The federal rules are extensive and will require significant changes to the Ombudsman statute, rules and trainings.

D. Community Access and Grants Unit Division Update

Joyce Pohlman, Grants Coordinator, provided the following updates:

- Aging and Disability Resource Centers (ADRCs) contracts: 14 to be re-procured by the end of the fiscal year, currently moving rapidly through re-procuring and evaluating.
- Public meetings: have been held for input on the ADRC strategic plan.
- Caregiver video: Unable to share today due to technical difficulties but will share the link with Holly to send out.
- Take Time Texas website: receiving a makeover.
- Texas Respite Coalition strategic plan: in development and will provide direction on improvements to the availability and coordination of respite, and ways to make it more affordable.
- Long Term Service and Supports Screen (LTSS Screen): The Balancing Incentive Program (BIP) requires a Level 1 Screen to easily and effectively get people information about their options and access (DADS already has a Level 1 Screen so ours is named the LTSS Screen). The LTSS Screen is used at the major entry points to the long-term care system to help people identify where they might go for assistance. DADS has made the screen into a software program that can be accessed through a self-service portal or by contacting the ADRC, AAA, or DADS regional offices. The screening will be used for anyone who contacts DADS needing long-term service or support. It is scheduled to launch in September.

E. Area Agencies on Aging Division Update

Sue Fielder, Director, provided the following updates:

- Contract addendum: DADS, Area Agencies on Aging (AAA) and HHSC Managed Care Organizations (MCO) have negotiated an addendum to the contract for AAAs that chooses to enter into an agreement with MCOs to provide certain services. Funds would be already included under the leeway paid to the MCO for each individual if they want to offer that service.
- Older Americans Act (OAA): On July 16, the U.S. Senate unanimously passed the OAA, but the act still needs to pass in the House. Funding and appropriations still remain a challenge and aging is still seen through the lens of Medicare and Medicaid.

F. Review of Bylaws and goals

Dr. Michèle J. Saunders, Chair

- Members were asked to review the ATWAC bylaws (with consideration to the ATWACs purpose and charges that have been carried out) prior to the November 4 meeting. Members were reminded of the two main activities the ATWAC comments/works on annually:
 1. making legislative recommendations to DADS



2. the biennial plan

As well as the strategic plan sub-committee that works both issues, making recommendations back to the larger ATWAC membership.

G. Program Initiatives

Holly Riley, Manager, Volunteer and Community Engagement, provided the following updates:

- Aging Texas Well Plan: VCE reviewing the plan will let the ATWAC know if there are any major modifications.
- Executive Order RP42: VCE made a request to update statistics used in RP42.
- Behavioral Health and Aging Workgroup: VCE is a member of this work group as well as representatives from health professionals, doctors, academic and state employees. There is a larger behavioral health workgroup at HHSC and this one focuses on the aging population.
- Vision Awards ceremony: DADS annual recognition ceremony for volunteers will be September 17 at 2pm.. This year a volunteer is being recognized for 50 years of service.
- Art Exhibit: Starting September 10, DADS hosts an art exhibit in the lobby of the Winter’s building featuring works of art by the people DADS serves. The exhibit opening reception is September 11 from 4-6pm.

H. ATWAC Member Updates

Lori Henry – DFPS

- The Adult Protective Services Conference will be held in November, 2015 at South Padre Island. http://www.dfps.state.tx.us/Adult_Protection/Adult_Protective_Services_Conference/default.asp

Michael Wilson – Meals on Wheels and More:

- No updates.

April Young (for Nancy Walker) – HHSC:

- As of June 1 there were 47,508 in nursing facilities enrolled in a Star+Plus Managed Care Organization (MCO.) All five Star+Plus MCO are processing claims and HHSC continues to monitor the transition closely and address items as needed.
- HB 1 rider 89 directed HHSC to develop its recruitment and retention strategy for community attendants. HHSC will work with DADS going forward to identify strategies.
- Community First Choice implemented June 1. HHSC is working on a Person Center Planning training, how to implement that and operationalize that for providers.

Ann Woods – DARS:

- Our Commissioner is working with HHSC and others on the consolidation of DARS with HHSC and Texas Workforce Commission which is supposed to be complete by September 1, 2016.

Carlos Higgins – TSHL:

- Encouraged ATWAC members to utilize the TSHL for addressing issues affecting older Texans legislatively.

Amanda – AARP:

- New caregiving study - “Valuing the Invaluable” with state statistics. <http://www.aarp.org/ppi/info-2015/valuing-the-invaluable-2015-update.html>

Mindy Noble – Higher Education Board:

- Brand new to this committee and listening today.

Bruce Bower – Texas Senior Advocacy Coalition:



- Reviewing and monitoring the legislation that was passed and determining where there are priorities for next session.

Andy Crocker – Texas AgriLIFE Extension Services:

- Counties are developing their 2016 area work plans.
- The Extension Services, in partnership with the Texas A&M Health Science Center, received exceptional items funding and will implement a big health and wellness push in south Texas.

Cindy Adams – Star+Plus MCOs:

- Star+Plus MCOs are working with AAAs and ADRCs to develop partnerships, establish contracts, and learn each other's processes.
- Local Authorities are assessing Community First Choice. Star+Plus is also assessing waiver members to see if they may qualify for habilitation services in addition to the current waiver services they are receiving.
- Star+Plus MCOs and the Texas Association of Health Plans are reviewing the CMS Medicaid Mega-Reg for comment.

Yvette Lugo – T4A:

- T4A hosted the very successful Aging in Texas Conference in Austin with more than 300 registrants. Starting to plan for next year.

Lynda Taylor– DSHS Alzheimer's Disease Program:

- Texas Council on Alzheimer's Disease and Related Disorders met August 25, 2015.
- Lynda is making recommendations regarding the definition of Alzheimer's disease to a DADS policy specialist for HB2588.

I. Wrap up and Action Items

- Dr. Saunders reminded those attending the meeting via the phone to send address, email, and phone number changes to Holly Riley.
- Agenda items for next meeting:
 - A briefing on the strategic plan for the Texas Respite Coalition
 - A showing of the LTSS screen
- Next Advisory Committee meeting is November 4, 2015.