MINUTES ILLINOIS COUNCIL ON AGING MEETING

TELECONFERENCE

ILLLINOIS DEPARTMENT ON AGING OFFICES

ONE NATURAL RESOURCES WAY – ROCK RIVER CONFERENCE ROOM SPRINGFIELD, ILLINOIS

160 NORTH LASALLE, SUITE N-700 CHICAGO, ILLINOIS

FRIDAY, SEPTEMBER 11TH 2015 9:00 A.M. – Noon

MEMBERS PRESENT:

John Hosteny **MEMBERS ABSENT:**

J. Diane Adams-Alsberry Steve Wolf Mary Jane Angelis Betty Martz Naomi Fowler

Ram Gajjela MEMBERS ON TELEPHONE:

Dana Rosenzweig Rev. Melvin Grimes Charles Crowder Margaret Huyck Phyllis Mitzen Lee Moriarty Paulette Hamlin Robert O'Connor Talat Khan Anna Oestreich Bernarda Wong Eugene Verdu Sen. Julie Morrison Anthany Frazier

Mubarak Mirjat Sen. Sam McCann Sen. Mattie Hunter

Rep. Dwight Kay **VISITORS:** None Rep. Ron Sandack

DEPARTMENT ON AGING STAFF:

Jennifer Reif, Deputy Director

Elizabeth Delheimer, Community Relations & Outreach Manager, Council Liaison

Jose Jimenez, Home & Community Services Manager

Jodi Becker, Finance and Administration Manager

Brad Rightnowar, General Counsel

Alex Burke, Legislative Liaison

Cathy Houghtby, Special Events and Fair Coordinator

Jessica Blood, Administrative Assistant to the Director

SUMMARY

Opening:

The meeting was called to order by John Hosteny, Chairman.

The roll call was taken by Chairman Hosteny.

Members and staff at the meeting introduced themselves.

New Business

Chairman Hosteny opened the meeting, thanked the Department on Aging staff and welcomed Jose and Jodi. Chairman Hosteny read the Council's purpose from the By-Laws and said the Council would serve their purpose to the best of their ability. Chairman Hosteny mentioned the new format to the agenda; thanked Elizabeth and Brad for the good counsel on getting that completed. He mentioned the telephone meeting between himself, Elizabeth, Phyllis, Diane and Steve that was made to bring up important issues that the Department and seniors are facing. During the call meeting, the Council members brought up several points to be addressed by Department staff. Chairman Hosteny mentioned that fiscal reports had been given to the Council in years past and told the Council members that they would receive a budget report from CFO Jodi Becker that would show the challenges, potential cuts and the impact of the potential cuts on the Department and the State's seniors.

Chairman Hosteny proposed reviewing the minutes from the April 22nd and July 22nd meetings of the Council. He then asked for any corrections or additions to the minutes.

J. Diane Adams-Alsberry stated that there were several corrections that needed to be to the April 22nd minutes. Changes were noted by Jessica Blood.

Chairman Hosteny requested a motion to approve the April 22nd minutes, with corrections made. **J. Diane Adams-Alsberry** made the motion to approve the minutes with corrections, **Jane Angelis** seconded the motion; the motion carried.

Chairman Hosteny then moved to reviewing the minutes from the July 22nd meeting of the Council.

J. Diane Adams-Alsberry stated that there was one typo on the July 22nd minutes. Change was noted by Jessica Blood.

Chairman Hosteny requested a motion to approve the July 22nd minutes, with corrections made. **Jane Angelis** made the motion to approve the minutes with correction, **Bernie Wong** seconded the motion; the motion carried.

OLD BUSINESS

Required Training:

Chairman Hosteny reminded the Council that there are still members who have not completed the annual required Ethics training. He also reminded the Council that there are still members who have not completed the Open Meetings Act training. He reminded members that these are requirements of State law and needed to be completed as soon as possible.

Chairman Hosteny stated that two members listed on the training tracking list were no longer on the Council – Naomi Fowler and Margaret Huyck, but said he would check on Margaret's status. Elizabeth asked for a letter from each of the resigning members, because the Department did not have anything from them. Jane mentioned that Naomi had made an informal announcement at the last meeting she had attended. John said that he would check for the letter. Phyllis Mitzen stated that the Council should write a letter to the resigned members to thank them for their service to the Council. Bernie Wong agreed. John asked if someone on the Council would draft the letter to Naomi; Phyllis Mitzen volunteered.

Chairman Hosteny gave a brief review of the Open Meetings Act training and stated that it was important for the Council members to complete the training. He gave the Council a deadline of Monday, September 14th for the Ethics training. Jane requested more time to complete the Open Meetings Act training, since it is more in depth. Brad Rightnowar offered help to any members who were having troubles with the training. Chairman Hosteny gave the Council members until Wednesday, September 16th to complete the Open Meetings Act training.

Change of Acting Director:

Chairman Hosteny thanked Deputy Director Jennifer Reif for serving as Acting Director during such a difficult time and said she filled the role with professionalism. He then mentioned the new Acting Director, Kris Smith, and said the Council would be hearing more from her when they get reports from the Department.

NEW BUSINESS

Public Comment:

Chairman Hosteny brought the Council members' attention to the new item on the agenda: Public Comment from non-Council members. He stated that the Council will give the opportunity for Public Comment to non-Council members. He also stated that each individual would be required to sign in and would have five minutes or less, depending on the amount of people wishing to comment.

Treasurer's Report:

Chairman Hosteny moved on to the treasurer's report. He stated that in FY 2015, the Council was appropriated \$25,400.00. During FY 2015, the Council expended \$11,684.71. The majority of expenses were attributed to hotel and travel costs. He mentioned that he did not see where the By-Laws required the Council to have a treasurer and asked Brad for clarification. Brad stated that the treasurer's report was listed on the agenda for the purpose of informing the Council of

its budget appropriation and as an oversight requirement. He also stated that it is important for the Council to be aware that they have state funds at their disposal and to be good stewards of those funds. Chairman Hosteny further clarified that there is no executive position on the Council for a treasurer and Brad affirmed.

Travel Reimbursement:

Chairman Hosteny reminded the Council to turn in their travel reimbursement documents and timesheets to the Department for retention. J. Diane Adams-Alsberry mentioned that members needed to know where to send the documents. Jessica clarified that members meeting in Chicago could leave their documentation with Portia. Brad offered to check in to the requirement for timesheets, since members are not compensated for their time.

Department Updates:

Elizabeth Delheimer mentioned the executive meeting via telephone and the list of issues that was brought up by the Council, then stated that Jennifer would address each issue.

Jennifer Reif thanked Chairman Hosteny for his kind comments regarding her tenure as Acting Director. She informed the Council of the statute requirement of the sixty day limit for an Acting Director and stated that Kris Smith was the new Acting Director for the Department. She also reassured the Council that there would be no interruptions in day to day operations within the Department. She stated that the Governor's Office was moving forward to appoint a new Director expeditiously.

Jennifer went over the Department's projections for growth and the budget impact:

- Over the next five years the Department has projected a six percent growth for CCP and with those numbers there is concern for budgetary impact as well as the impact on the number of people served.
- By 2020 the Department would be looking at serving approximately 100,000 seniors.
- By 2030, the Department projects that there will be 177,000 seniors being served.

Jennifer stated that these projections indicate a nearly \$2 billion impact. She further stated that Department staff are putting together initiatives to streamline and sustain the Community Care Program in the long term, and working in depth with the administration to figure out ways to sustain the projected growth.

Phyllis Mitzen inquired about the program to get individuals out of nursing homes and back into the community. Jennifer stated that the Department has several initiatives to address the program and that the Governor's Office is encouraging the Department to concentrate efforts on the program. Jennifer mentioned that the Department is currently implementing the Nursing Home Deflection Program along with the MFP program, in order to be proactive in diverting seniors from being placed in nursing homes rather than pulling them out. Jennifer then asked Jose for his input regarding the program.

Jose Jimenez stated the following points regarding the Nursing Home Deflection (NHD) Program:

- It is a pilot program that was started in March, funded by a federal grant through No Wrong Door.
- The NHD program is being implemented to help Department staff understand the process of what happens to seniors after a hospital visit, with regards to transferring into a nursing home.
- There 14 sites throughout the state collecting data. The Department is working with CCUs, hospitals, discharge planners and mental health professionals to help understand the needs and the process.
- The Lewin Group is the contractor helping with the process and they released the first set of numbers in June, but the Department would need at least two sets of numbers to be able to start comparing data. Jose stated that the Department would be able to share the numbers with the Council once there is more data to compare.
- He stated that the grant will go through March of next year, so the Department will have at least four reports to compare data and understand what happens with the high number of seniors who go to a hospital and then are transferred to a nursing home, many times within two hours.
- The Department is working with hospital associations to help give these individuals more options for their care because they want to be at home in the community and it is more cost effective for the State to have them at home.

Chairman Hosteny inquired how much the grant was, from whom and whether or not the Department is sub-granting to the CCUs. Jose responded that the grant was part of the No Wrong Door grant and is trying to rebalance the nursing home population through Home and Community Based services. He stated that this pilot is a branch of the grant received from ACL to help us understand the process in Illinois and CCUs are part of the grant, therefore are receiving funds from the grant.

J. Diane Adams-Alsberry inquired as to which area CCUs were being used to collect data. Jose replied that the program was collecting and comparing data from the northern part of the state.

Phyllis Mitzen stated that Health & Medicine, Rush, Aging Care Connections and several CCUs were involved in a social work model of bridging hospital to home, called the Bridge Model, targeted to avoid re-hospitalization of individuals who return to the community. She mentioned that they have research on the model that demonstrates its effectiveness in avoiding re-hospitalization. Phyllis stated that the Bridge Model is a social work model based on the fact that many of the reasons people are re-hospitalized have to do with the bio/psycho/social determinates of health. She offered to share more information about the model if Department staff were interested, as well as a training component for the model. Jose agreed that it would be beneficial to have a discussion about the Bridge Model.

Chairman Hosteny asked Jennifer to expound upon the Council's role in streamlining and sustaining the Department's services with the growth of the aging population. Jennifer replied that the information on the Bridge Model that Phyllis shared would be helpful. She stated that

the Department wants to be as seamless as possible with the administration and because so many of us are new to our roles, understanding the previous programs and projects that have been piloted is important. She stated that the Bridge Model will fit into the current inner workings of our Department, when looking for evidence based practices with good serving outcomes.

Jennifer and Jose offered to reach out to Phyllis to discuss and better understand the Bridge Model. Jose also stated that Colbert is another project that is re-integrating seniors back into the community after nursing home stays. All were in agreement that the more programs the Department has to support the role of streamlining individuals out of nursing homes and back into their communities, the better.

Jennifer added that the Governor's Office has also asked the Department to examine and research what programs other states are implementing to keep seniors in the community. Phyllis mentioned that Health & Medicine frequently looks into other states' best practices to improve their own and offered to share the information with the Department.

Chairman Hosteny asked what the mechanism was for the Council to understand what projects the Department is using so they can fulfill their mission. Jennifer replied that the Department could start an email dialogue with members of the Council to keep them updated outside of regular Council meetings.

Bernie Wong stated that her agency is in the planning stage of developing a continuing care facility to reduce the amount of members going into nursing homes and asked the Council and Department staff to share any ideas with her as well.

Brad Rightnowar stated that the best way for the Department to identify new initiatives is to have them brought to attention at meetings such as the regular Council on Aging meetings. He also offered his email address to the Council members so they are able to bring up new ideas between regularly scheduled meetings.

Talat Khan mentioned that her agency is also working on a continuing care model based on one in California and offered to share their suggestions with Bernie. Bernie agreed to follow up with Talat and reiterated that any ideas and suggestions are welcome.

DON Score/Income Threshold Increase:

Jennifer Reif addressed the Council's concerns regarding the proposed DON score and income threshold increase. She stated that right now, everything is pending with the DON score increase proposal and that it would be would be very difficult to implement the change on January 1st. She then stated that the Department has projected the change of the DON score to 37 would impact approximately 17,000 seniors and the net savings to the state is projected to be approximately \$28 million dollars.

Phyllis Mitzen asked if the projections included all of the people being affected by the DON score. Jose clarified that these projections only included individuals affected under the Department on Aging's services.

Jennifer stated that if the DON score change was implemented, the Department would approach it by having CCUs reassess every senior in the program on their anniversary date, rather than everyone at once.

Bernie Wong asked what the staff thought about the timing of the passing of HB 2482. Jennifer stated that at this point, the Department is on hold waiting to see how the legislative body and the Governor's Office would work together on how to proceed. She stated that, as the days progress, the Department continues to move the plan of action up, which impacts the number of seniors involved as well as the cost savings measures. With the passing of the bill, everything is on hold. Alex Burke state that the bill is on the Governor's desk and we should hear some news regarding his position late next week.

Jennifer then addressed the Council's question of how the income threshold increase would impact the Department. She stated that the Department would have to devise a mechanism to screen all seniors in reference to their income, therefore would have to define income. She stated that the Department would also have to draft administrative rules for the change and would need more direction from the administration. The income threshold was set as \$17,500 which would be a \$39,700,000.00 cost savings. However, that number was assuming a start date of July 1st, 2016. At that time, 6,000 clients would no longer receive CCP services. As the days go by, the cost savings and seniors impacted will change.

Bernie asked if there was a deadline that the staff has to give to the administration for the change or vice versa. Jennifer stated that these are cost saving measures that have been proposed over a period of time and that the discussion is ongoing. She stated that as the Department does the data analysis, with each month that goes by, the cost savings measure as well as the start date will change. Jennifer said that it is important to note that during the budget crisis, the Department is doing everything it can to be thoughtful with regards to the seniors that may be impacted as well as trying to keep our seniors cared for. She then stated that it is important for the Department to look at the models that have seen success within our state or nationwide.

Jose added that some of the waiver proposals have to have federal CMS approval, so that is another obstacle that would have to be overcome. Jennifer mentioned that HFS was submitting an additional waiver extension request, so federal CMS would be asking for a timeline of when the Department would be moving forward with certain proposals. Jennifer also noted that when HFS put the waiver proposal out for public comment, the Department received over 1,000 comments with only 11 being positive.

Jennifer moved on to address the Council's question of what modeling has been conducted to determine what impact the proposed cuts would have on seniors, families, care givers and the workforce that serves them. She stated that one of the initiatives that the Department has taken is to closely monitor the network and the hardships being faced by different providers and CCUs; not only serving seniors, but also their staff. She said that members of the Department staff have separated CCUs from providers and have been tracking the number of sites that are reporting hardship and closures. She stated that the Department is also tracking the number of

employees, clients and services affected per client. She added that if a site is close to closing their doors, the Department is looking at the type of service they provide and trying to come up with contingency plans to keep seniors cared for. Jennifer added that per contracts, our providers are supposed to have due diligence with diversified funding sources and should have cash on hand for 90 days. Bernie mentioned that the end of the 90 day reserve window is coming up and those who have followed their contracts are becoming worried about what will happen after reserve runs out. She also questioned whether the Managed Care Organization are mandated to continue paying providers or if they have the 90 day restriction. Jennifer stated that those contracts are through HFS and the MCOs should be continuing to pay. Jennifer acknowledged that we are all in the midst of a real hardship; the Department is providing technical service to our providers and working together to strategize different thoughts outside of the box to get everyone through the difficult time, especially with the challenge of not knowing when the period of hardship will end.

Brad Rightnowar stated that there will eventually be a budget; it is just a matter of when. He added that the Department sees providers as teammates in the joint goal of providing services to seniors. He requested that Council members keep in good communication with the Department regarding hardships that their providers are facing. He stated that we are all statute driven, and these rules will control how the Department works through various issues. Brad added that the Department needs 30 days' notice of an impending closure, so that everything possible can be done to keep providing services to seniors. He also mentioned the non-assignability provisions of the providers' contracts - Providers are not permitted to identify where they might move a constituent without informing and getting approval from the Department, because the Federal waiver is very clear about freedom of choice. Bernie asked what kind of solutions the Department could provide if providers are struggling to pay their staff. Brad said the Department will make all payments it is contractually obligated to make. Jennifer stated that we are keeping the Governor's Office aware of the hardship our providers are facing on an almost every other day basis.

Phyllis noted Brad's point of open communication and having a real understanding of the position the providers are in, as well as the fragile lives of the people who are carrying out the business of the contracts. Jose added that while there may not be much the Department can do in terms of payment without a budget, we can still be proactive in making sure rules are followed with regards to larger providers trying to absorb those that are struggling financially.

Charlie Crowder asked the Department staff about the recent court order by a judge to apply existing funds being misdirected by the Comptroller and the impact of the depletion of those funds on the Department's ability to make obligations. Brad replied that the Department does not have authority to make payments without a budget that has been passed by the General Assembly and approved by the Governor. He added that the only exception to that rule is when there is a federal court order in place to pay outside of the normal budgetary process; the Department is obligated to follow that order. He then described the Colbert Consent Decree as an example. Brad then addressed the issue of cash flow by saying that the Comptroller's Office is the constitutionally obligated office that manages the outflow of funds from the State to the people it is obligated to pay. Brad stated that if any providers are covered by one of the Consent Decrees, they will be getting paid under the federal court order. Charlie then asked if the

Department had any leverage to establish a separate line of credit that would allow the Department to provide payment to the providers. Brad stated that the Illinois constitution requires the General Assembly to act on all forms of indebtedness, and therefore a request for a line of credit would have to be approved by the legislature.

Jennifer then mentioned that the Department will be able to release some federal funds through the Older Americans Act that will provide some relief to the AAAs. She stated that these funds will be able to support Meals on Wheels, transportation and some other services provided under the Older Americans Act.

Jodi Becker addressed the Council's question regarding summarizing the budget issues for the current FY, any carry over income, expense projections or challenges for next FY. She stated that the Department released some federal funds this week to the AAAs and to some of the other smaller federal grantees that will help alleviate some of the pressure on these agencies, at least for the month of August and the beginning of September. She stated that the funds have to be used for services covered under the Older Americans Act and added that there is some Ombudsman money available, and a small amount for elder abuse and neglect. Jody stated that it is important to note that there is also the problem that the State does not have revenue coming in because of the lack of a budget. She added that right now there is limited cash, but if we do not have a budget in place soon, by December there will be no cash because fiscal will have been stagnant for 90 days and there will not be any funding available until March. She mentioned that the bill just passed by the Senate would sustain CCP services through the year. She added that in about 30 days the Department will start forecasting for FY17, which will be a major challenge because funding has not yet been appropriated for FY16. Chairman Hosteny asked if we have received any information from the Governor's Office about FY17; Jodi replied that we have received no direction from the administration. John asked if she had heard about any potential cuts. Jodi replied that because we do not have an FY16 budget as a base, it is difficult to know what possible cuts there may be for FY17. She also mentioned the DON increase as a cost savings measure for the State and that the savings would decrease the longer it takes to implement the changes, and therefore may appear again in FY17. John inquired if the Department carried over any obligations from FY 15; Jody stated that the Department was not permitted to do so and that any FY15 bills had to be submitted as of August 7th. She added that any bills had to be submitted to the Comptroller's Office by the 21st or they would have to go to Court of Claims. She stated that we have paid all bills that were presented for FY15.

Brad Rightnowar reiterated the importance of completing the mandatory Ethics training and the Open Meetings Act training, since the Council members are participating in the State's business. He mentioned that the Governor's Office is looking into the possibility of getting il.gov emails for members and that more information would follow. He stated that the Department would be coming up with a format for the Public Comment portion of advisory council meetings.

Brad clarified for the Council their duties by reading Section 7.09 of the statute governing the Council:

 Review and comment upon reports of the Department to the Governor and the General Assembly.

- Prepare and submit to the Governor, the General Assembly and the Director an annual report evaluating the level and quality of all programs, services and facilities provided to the aging by State agencies.
- Review and comment upon the comprehensive state plan prepared by the Department.
- Review and comment upon disbursements by the Department of public funds to private agencies.
- Recommend candidates to the Governor for appointment as Director of the Department.
- Consult with the Director regarding the operations of the Department.

Brad stated the Department is looking into consolidating some of the reports mentioned in the Council's duties, to be more efficient and be able to get the reports to the Council for review in a timelier manner.

Brad then discussed the process of submitting a recommendation of candidates for Director of the Department. **Chairman Hosteny** requested a motion to approve that he, as chairman, draft a letter to the Governor listing the qualities and skills the Council would like to see in the next Director based on the conversation during the July 22nd special meeting.

Bernie Wong made the motion to approve, Jane Angelis seconded the motion.

J. Diane Adams-Alsberry asked if the letter would include names for individuals or just the desired qualities. Brad reiterated that the next step to take during the process of submitting recommendations for Director would be to send a list of desired qualities and the offer to submit names to the Governor if requested, rather than listing names.

Chairman Hosteny again asked for a vote to approve the motion, all voted aye; the motion carried.

Brad then addressed the Council's question regarding whether the Council meetings could take place via video and teleconference, with regards to the Open Meetings Act. He clarified that because the Council is an advisory board, the requirement for a quorum to be present is not mandatory. He then stated that there are parts of the Open Meetings Act that the Council must follow to remain in compliance, such as allowing for public comment, the approval and posting of agendas and keeping of minutes.

Bernie Wong stated that she believed it was the Council's responsibility to recommend individuals to the Governor for the position of Director. Matt Ryan said that the Governor's Office would welcome a letter from the Council regarding suggestions for the Director position. Phyllis asked to clarify whether that meant they should send names in the letter drafted by Chairman Hosteny. J. Diane Adams-Alsberry suggested that they send the letter to the Governor with the recommended qualities, but should discuss names in the next meeting of the Council.

Chairman Hosteny asked to have ten Council members request a special meeting to discuss nominations for the position of Director. He clarified with Brad that the Council could set the date of the special meeting at the present time. Brad affirmed that the Council could set the date; however, the meeting could only take place contingent upon receiving written request from at

least ten members of the Council. Chairman Hosteny set the date of the special meeting for 9:00-10:30am on September 25th and reiterated that he would need written request from ten Council members.

Alex Burke informed the Council that there is a PowerPoint of all the bills that have passed that impact the aging community on the Department's website. He offered to answer any questions that the Council may have.

COUNCIL DISCUSSIONS

Phyllis Mitzen mentioned the announcement that there would be no Governor's Conference this year. John affirmed that though it is a loss to our State, it is in the best interest of the Department and of the State with regards to the budget situation.

Jennifer Reif said that this was a hard decision for the Department because the training and networking provided by the conference is so valuable to everyone. She stated that the Department staff have heard multiple requests from the aging network not to have the conference for a number of reasons regarding the budget crisis. Jennifer then reassured the Council that the Department hoped to continue holding training via webinar if possible.

Chairman Hosteny brought the Council's attention to the handout of future dates for meeting of the Council. He stated that the meetings would be held via video and teleconference in an effort to be more cost effective.

Chairman Hosteny requested a motion to approve the future dates set for meetings of the Council. **J. Diane Adams-Alsberry** made the motion to approve the dates as presented, **Anthany Frazier** seconded the motion; the motion carried.

Chairman Hosteny requested a motion for the Council to adopt the policy on public comment submitted to members prior to today's meeting. **Dana Rosenzweig** made the motion to adopt the policy on public comment, **J. Diane Adams-Alsberry** seconded the motion; the motion carried.

GOOD OF THE COUNCIL

Phyllis Mitzen informed the Council that there will be a "How Livable is Your Community?" conference held at the Union League Club held on Monday, October 5th from 9:00am-11:00am. She encouraged members to attend and also mentioned that the conference would be available via live streaming.

Paulette Hamlin announced to the Council that there will be major changes to the State LiHeap program. The program usually starts September 1st, but has been pushed back to October 1st because of the budget situation. She stated that there might be only half of the funding that is usually available and encouraged anyone who works with seniors to get them to apply for the program before funding is exhausted.

Dana Rosenzweig informed the Council that they will continue to sponsor caregiver support programs and have an educational session planned at the junior college next week.

Jane Angelis reminded the Council that this is the Year of the Volunteer. She requested that anyone who has a story of a volunteer to please send to her at <u>jane.angelis@gmail.com</u>.

J. Diane Adams-Alsberry informed the Council that AgeOptions will be having their annual fundraiser on October 15th at the Hyatt Regency.

Chairman Hosteny reminded the Council members who have not completed their Ethics or Open Meetings Act training to get those certificates in as soon as possible. He also reminded the members to forward any cost savings ideas or best practices onto their colleagues. He stated that he would circulate the draft letter for recommendations for Director to the members of the Council, and that the Council would meet again via teleconference on September 25th for a special meeting to bring up candidates for recommendation.

Chairman Hosteny requested a motion that the meeting be adjourned.

J. Diane Adams-Alsberry made the motion to adjourn the meeting.

Motion was seconded by Paulette Hamlin.

Motion carried, meeting adjourned at 11:30am.

s/Steve Wolf
Steve Wolf, Secretary
Illinois Council on Aging