

**Minutes of the Meeting of
the Illinois Long-Term Care Council
January 15, 2013**

Voting Members Present: John England, Ann Ford, Eva Hall, Matt Hortman for Myrtle Klauer, Director John Holton, Stephen Iden, Margaret Niederer, Sally Petrone, Wayne Smallwood, and Tami Wacker

Voting Members Present via Conference Call: John Hosteny, Phyllis Mitzen, Pam Edelman-Sall, and Dave Sutor

Voting Members Absent: Pat Comstock, Tony DelGiorno, Myrtle Klauer, and Dave Vinkler

State Agency Representatives Present: Toni Colon (via conference call), Mary Riseling (via conference call), MSGT Todd Trautvetter, Doree Vetter, and Kitty Watson

Guests and Others Present: Neyna Johnson, Jamie Freschi, Karen Starling, Teri Berrman, and Darlene Harney (via conference call)

Recorder: Kathy Seketa

WELCOME & INTRODUCTIONS

Call to order: Tami Wacker, Co-Chair, called the meeting to order at 10:30 am.

The meeting was opened with introductions of attendees and guests. Tami apologized for the late start; the telephone lines were not working for those calling in to participate.

Approval of Prior Meeting Minutes – Ann Ford made a motion to accept the October 16, 2012 minutes with one change - Wayne Smallwood was moved to the “Voting Members Absent” list. Stephen Iden seconded the motion; the motion carried.

STATE AGENCIES REPORTS

Teri Berrman, Illinois Department of Public Health (IDPH) – Special Investigations Unit.

Teri introduced herself and Karen Starling; they were asked to give an overview of IDPHs’ Abuse Prevention Review Teams. Teri stated the team was initiated per Act 210 ICLS228. The purpose was to have a meeting of the minds of different agencies as listed in the Act. The IDPH representation is Teri, Karen, and one staff person. They review reported deaths in long term care facilities in Illinois to see if there is a pattern of which to make recommended changes to the director of IDPH. Such changes could be in-house training for IDPH staff or facility staff, or legislative changes.

Teri said there are two teams which cover the state, which meet quarterly. The Southern team was set up in 2008; they meet in Springfield. The Northern team was set up in 2011; and they meet in Wheaton.

Teri stated that IDPH looks at every complaint with death or sexual assault, and incident reports from facilities. If there is proof of abuse, then the complaint/report is passed along to the review team. The review team looks to see if there is a pattern among the cases they receive.

2010 there were 547 reports – 165 cases were taken by the team
2011 there were 485 reports – 100 cases were taken by the team
2012 there were 505 reports – 118 cases were taken by the team

Teri said they do not look at all abuse cases, just death and sexual assault. If a facility failed to do something – then the Review Team would make recommendations as to what can be done to prevent further occurrences. Some of the pattern of findings sent to the director include: falls, lack of physician notification, failure to send residents to hospitals in a timely manner, choking (staffing needing training and/or staff issues), and lack of notifications to local law enforcement.

Margaret Niederer stated that Bill Bell had mentioned Death Review Teams and Sexual Assault Teams at the last meeting – her question was are the two teams combined? Teri responded that they were not.

Margaret asked if any focus facilities have come up; Teri said no.

ACTION ITEM – Tami Wacker said she will ask Bill for clarification of how the two teams differ.

Tami shared how Teri gave a presentation to some of the Regional ombudsmen recently. The presentation included a case the Team had reviewed, and the results of the review. Teri demonstrated how the Team dug deeper in the case – i.e. if the Department of Regulations was notified, if arrests had been made, and the material that was collected. Tami stated how Teri's presentation put her at ease that there was a thorough review even though all the Program got was a "case closed" notice.

Jamie Freschi mentioned how she has had questions on a case that was closed with no findings, and IDPH has reviewed it again.

Teri also discussed the review process of cases in which the event occurred in a hospital, and the hospital has a chance of being sued.

Darlene Harney said a new Bureau Chief came on board in December, 2012; and that a new Long Term Care chief is coming on board – anticipated date of February 1, 2013. Eighty-eight of the expected 100 new surveyors have been hired thanks to the help of SB326. Darlene mentioned some staff moves - Connie Jenson will be working out of the Central office, heading the Training and Education division; Kim Stoneking is acting manager over Peoria and Champaign; and Bill Shubert, now in regions 1 and 7, will be transferred to the Chicago office. She mentioned that there are monitoring positions open.

Tami asked if there was a breakout of the new surveyors; Darlene said they took a look at the # of beds, staff, complaints, etc. when splitting them out.

Also mentioned, currently there are a number of rules are going through JCAR including sheltered care, LTC, and hospital licensing.

ACTION ITEM – Tami Wacker said she will ask Bill for written rule update report, a report on what is going on in the managed care realm, and an organization chart.

Neyna Johnson asked if their web site is still being worked on; the response was "yes."

Doree Vetter IDVA – Doree mentioned the “Stand Up and Be Counted” program is up and running. It is hoped that veterans will log onto the website and create a resume which can be shared with other agencies without violating HIPPA law.

Kitty Watson Illinois Treasurer’s Office - Kitty said she had nothing new to report.

MSGT Todd Trautvetter ISP – Todd mentioned that the Review Board is pretty well depleted with all the retirements. He is now the Administrator for the entire unit; working mostly in Collinsville. His first self-appointed task is to make a user manual for the Ombudsman area. Todd said they are down five people; he is planning a unit-wide training, focusing on working together with the fewer people. ISP is going to have three new classes, so once they are trained some of the vacancies can be filled.

State Long Term Care Ombudsman Program Report – MFP - Neyna Johnson reported on the Money Follows the Person program. The cumulative total of referrals received by LTCO (as of 12/31/12) was 1,354, of which 396 were referrals to the Department of Mental Health. Neyna said the Department is working on improving the reporting process-making it more streamlined. Improvement suggestions to the on-line referral form included adding a box to report if it is an Ombudsman referral, adding a date line, adding a comment area, including a line which reflects where the resident has requested to go, and develop an online reporting confirmation telephone number. Tami asked if Box Q could be modified so ombudsmen could change the response when needed.

Neyna said the Department was looking into the complaint of slow lag time for response.

She also said the Regional Ombudsmen were surveyed as to why the numbers are so low. The responses included that there were not enough transition coordinators, there is a lot of distance to cover, there is no follow-up after the transition, long delays from state agencies, and lack of mental health services especially outside the Chicago area.

Doree asked if Ombudsmen volunteers could do anything to assist with the complaints. Tami responded with a “yes”, that the ombudsmen and the volunteers both go through the same training.

Director Holton stated that this information was an eye opener to him – hearing about the delays, and said no post follow up is just courting disaster. He said he will follow up with Sally and Neyna about the issues. Tami said the ombudsmen were polled on the issues, and she would get the Director a copy of the summary. Tami stated that there are many issues to address in the transitioning.

Tami suggested bringing representatives from HFS and DFS on the Council. The Council could develop a mini forum with the two agencies to try to address the issues. Director Holton stated that only four or five people continually represent HFS – need to get one of those. Wayne Smallwood said that DHS has been hit hard with lack of staff; in one area they have a 12 month lag. Director Holton thought the Council should also reach out to Managed Care coordinators and give them best practices.

Director Holton stated that Mr. Madigan wants to fix the problem of IDOA’s deficit of CCP, and is now looking at every dime. Matt Hortman brought up the difficulties of nursing homes dealing with Medicaid issues, providers being 6+ months behind in payments-just getting layers of more issues.

Margaret asked what Maxims was. The response was that it is a private company, hired by HFS, to determine if someone is getting Medicaid, is still eligible for it. Maxims covers sixteen counties. Tami said it seems each office is trained differently.

Neyna stated that the finalized version of the Colbert implementation plan was filed November 8, 2012. The website is <http://mfp.illinois.gov/Colbert.html>.

Neyna mentioned that her and Sally were attending MFP Implementation and Stakeholders meetings. Upcoming Stakeholders meeting dates are 3/26/2013, 7/10/2013, and 11/19/2013 from 10:00 am to 12:00 pm. Consumer participation is always encouraged.

Sally provided a handout of eight Benchmarks. She covered the progress made in its first quarter.

Director Holton asked about the city of Chicago – did they want to contract out? Sally said no, they plan to increase headcount by 3, as they have the money.

OLD BUSINESS

Public Forum at 2012 Governor's Conference

Tami handed out a summary packet of the testimonies received at the public forum the Illinois Long Term Care Council held on Managed Care, at the Illinois Department on Aging's Governor's Conference. She asked for everyone to look at them. It was decided that more should be made up to hand out to legislators. The most consistent message in the testimonies was "you need to go slower" as there are still so many unanswered questions. Tami said no contracts have been signed – can't until there is a resolution with the beds, which is expected to happen October 1st. Recommended additions to the summary packet included a survey page, a transcript statement, a table of contents, a summary sheet, more disclaimers, and a list of the Council members.

Margaret made a motion to appoint a committee to study the issue and make a presentation to the Council. Steve seconded the motion; the motion carried. Steve and Sally offered to sit on the committee with Margaret.

LEGISLATION

ACTION ITEM -Tami said Bill emailed her a report; she would forward it to everyone.

IDOA Budget – IDOAs Elder Abuse and Neglect Program (EANP) may turn into an "Adult Protective Services" program, or APS. The APS program will be an expanded EAPN – will include developmentally disabled adults age 18-59. Tami mentioned payment concerns, and that is it hard to get people paid now without the additions.

ACTION ITEM -Director Holton said that as soon as draft of the legislation of the APS is available, he will share it with the Council.

Director Holton stated that the legislation incorporates Fatality Review Teams. There will be a lot of changing; there will be need for a lot of training, and advocates for the disabled.

ACTION ITEM -Director Holton recommended that this be a program report at each meeting.

Jamie said she gave a presentation in Jacksonville and was flooded with emails and phone calls of concern for the deaf community. They want a wing set up for the deaf so they can stay within Jacksonville community. Wayne and Matt asked how the disability community is to be addressed – don't accept if you can't fit their needs? Matt suggested meeting with some of the Jacksonville facilities to

address the needs. Steve said the new Older American Act says the staff should be “linguistically and culturally competent” – looking at more training and more staff at facilities.

NEW BUSINESS

Home Care Ombudsman- Sally stated that the Consumer Voice had surveyed all the Ombudsman programs throughout the nation. It was found that 13-14 states have some type of Home Care Ombudsman program. Sally said Consumer Voice asked these states how to make the Home Care program work and be successful in other states.

Sally said she made a call to see about having the Illinois Ombudsman program analyzed, and get recommendations on implementation of Home Care. There is no Federal mandate on it as of now.

Steve said the Reauthorizations of the Older American Act did seem pretty progressive-had no republican support as of yet. There seems to be a lot of community issues and home-based transitioning.

ACTION ITEM –Margaret made a recommendation that the “Community and Homecare” be all encompassing in the earlier motion regarding Managed Care.

Margaret also stated that she thought the White Paper was out of date and needed a relook at the purpose. Early on it was to be formatted into a brochure for distribution. Sally thought there should be a breakout of beds by legislative areas. Tami said she had that information.

Margaret said that there still needs to be an Ombudsman brochure developed.

Doree mentioned a pamphlet that can be found on the IDOA website, “Federal and State Programs to Assist Elderly People” which she thought was very useful.

ACTION ITEM –Tami said she would work with Sally to look at the goals. She will check the law as to the question of whether the Council solicits members or if IDOA does.

Current information on the website – it was mentioned that IDOA is responsible for that.

2012 report – John England offered to work with Tami on finalizing the 2012 report. Kitty Watson thought maybe someone from Communications at IDOA should also take a look at it for setup.

Director Holton suggested a meeting with Margaret and IDOA legal council to look at the law and see if IDOA is living up to it.

Margaret asked about a letter that was supposed to be sent to the facilities – it was sent.

Margaret asked about the IT letter which was to be sent to Public Health – it was sent.

Margaret stated that the Council had requested a \$4,000.00 budget from IDOA – the question was directed to Director Holton on it and he said yes, he has committed \$4,000.00 for Council projects.

Tami suggested offering stipends to Council members to attend the Elder Rights Conference and the Governors Conference.

Sally mentioned that there was going to be a Town Hall meeting on January 24, 2013 regarding Managed Care from 12-3 pm. More information could be found on the HFS website.

The next meeting is scheduled for 4/16/2013 – same place, same time.

Adjournment

Eva made a motion to close the meeting, Margaret seconded the motion; the motion carried. The meeting was adjourned at 1:43 pm.