



State of Illinois
Rod R. Blagojevich, Governor
Illinois Department on Aging
Charles D. Johnson, Director

Illinois Long-Term Care Council Meeting

Date: June 10, 2008

Location: Northfield Inn and Suites, Springfield, Illinois

Members in Attendance: Pat Comstock, Nancy Flowers (Chair), Ann Ford, Eva Hall, Myrtle Klauer, Wendy Meltzer, Margaret Niederer, Mike O'Donnell, Sally Petrone, and Nancy Nelson for Dave Vinkler

Members Not Present: Barbara Craig, Martha Holstein, Jerry Jordan, Sue Kerrigan, Ben Perkins, Pam Edelmann-Sall, Brigit Dyer-Reynolds, David Sutor

State of Illinois Staff: Bill Bell, Rick Dees, Sgt. Debra Dell, Stefanie Eisele, Marie Havens, Neyna Johnson, Sharon Woods, Mary Killough (Chair), Connie Hill

Guest: Karen Kloppe, IDoA Assistant General Counsel

The meeting officially opened with Co-Chairs Nancy Flowers and Mary Killough with introductions.

Minutes of March 12, 2008 meeting

Margaret Niederer said minutes should cover old, new, unfinished business and future commitments. Pat Comstock said that minutes should not be a transcript; but should cover discussion on what you would miss if not in attendance. Minutes were revised to reflect that Eva Hall was in attendance at last meeting. Mary Killough told membership that if there are items missing in minutes that are sent out prior to meeting, to call Connie before the next meeting. Motion made by Mike O'Donnell to accept the minutes with corrections. Seconded by Myrtle Klauer. Motion carried and minutes approved.

New Council Appointments, Resignations and Terms:

Ms. Petrone and Ms. Flowers opened a discussion on the Council membership terms and appointments. Pat Comstock and Myrtle Klauer offered to help recruit new members and would send names to IDoA's Director for his consideration since he is responsible for appointing members. Their focus will be on nursing home staff, residents, ALF and SLF residents, and former LTC residents. Pat explained how difficult it is to find facility staff who are paid by a facility while not providing direct care.

Ethics Training:

Karen Kloppe, IDoA Assistant General Counsel, gave brief training on ethics to membership. Stated that when person accepted the Council position, they became a public servant. Members are required to complete time sheets, file a disclosure statement, and conflict of interest. Members are expected to work on behalf of the state in a manner that always complies with laws, rules, regulations and policies. By doing so and by always acting with honesty and integrity they allow established values to guide their actions and decisions. The action of conduct of state employees and officials (appointees to committees) are essential to maintaining the public's trust in state government. An appointee to a state board, commission, authority or task, are often called upon

to make decisions with far-reaching economic and social consequences for the citizens of Illinois. As a result, it is essential that they become aware of laws, rules, regulations and policies that apply to their conduct as an appointee to this committee.

Among the laws and rules that apply is the State Officials and Employees Ethics Act (5ILCS 430), which became law in December 2003. The Ethics Act contains rules to guide the conduct of state employees, appointees and officials. For example, as an appointed committee member, one is restricted from accepting certain gifts from certain specific "prohibited" sources. There are also restrictions that prevent a member from participating in specific political activities and has special clauses about revolving door restrictions and whistle-blower protections. LTC Council Members are required to complete and submit time sheets. An appointee's time sheet must document, to the nearest quarter hour, the time spent each day on official state business. Times should include travel time and must be submitted to the committee liaison Connie Hill, upon completion of the attended meeting. Following Ms. Kloppes' discussion several questions were posed:

1. Clarify any restrictions placed on a registered lobbyist if also LTC Council member. Since some of the members are registered lobbyists, do they rescind on voting? Since the lobbying laws have changed, more people have to register as lobbyists to advocate. In the past, that as long as you weren't compensated, you could serve. Wendy talked about how the OAA distinguishes authority. Pat said there are contracting lobbyists and there are content lobbyists. Karen Kloppe agreed to talk to the Ethics Officers and have action by the next Council meeting. Mary suggested to Karen to tell Council what the recommended next steps should be.
2. For those members who represent interest groups, what is their obligation? Karen responded and said that if person is looking at the best interest of the state and not the interest of the group, there could be conflict. Karen will find out if the training has more on the "duties and loyalties and competing interests".
3. What is the Definition of "official state business"?

FY09 Budget

On May 31, the General Assembly passed HB 5701, Senate Amendment 2, which included a \$450,000 increase for Long Term Care Ombudsman Program as well as retaining the current GRF level of \$391,000. However, there is no 100% guarantee that the full GRF funding request – the \$841,000 will stay in the FY09 Governor's Budget. Budget bills were passed out of the General Assembly in May, but haven't been sent to the Governor. Mary Killough discussed the \$450,000 increase for LTCOP and told members that she has recommended that a majority of the increase be awarded to the regional programs with a portion left at IDoA for improving infrastructure. If anyone has concerns about this decision, they were advised to speak to Mary. Mike O'Donnell concurred with Mary's recommendation.

Nancy Flowers noted that no one wanted to neither roll back the program standards nor expand services to cover ALF and SLFs without additional funding.

Pat Comstock talked about payment predictability. Nursing home rate increase for 2008 started in January but facilities have not received reimbursement checks reflecting increase.

Next steps for Council as a whole:

1. Send a thank you to the General Assembly members. Nancy will prepare letter.
2. Keep open the line of communication between legislators and constituents.
3. Encourage constituents to support Council endeavors.
4. IDoA Director should reach out to the Governor's office and ask for no change.
5. Search out our own contacts and deliver the same message.

Update on personal needs allowance bills

HB618 to raise allowance to \$50 was referred to rules

SB1933 to raise allowance to \$50 was passed out of both chambers. Has amendment about rulemaking.

SB1947 to raise allowance to \$90 was referred to rules.

HB5550

HB5550 to amend the Illinois Act on Aging to obtain an agreement between HFS and LTCOP to facilitate obtaining federal matching funds for the Ombudsman Program. Since CMS, the federal government changed their opinion on the use of Medicaid funding for the Ombudsman program, Bill kept in rules committee.

Letter from Nancy Flowers to Director Johnson about Council activities.

Director Johnson's written response was distributed. Margaret Niederer recommended sending Director a thank you for his reply. Wendy remarked that IDoA is working out the kinks to send OSCAR reports electronically and in a PDF print file.

Subcommittees for LTC Council

Sign up sheets for subcommittees were distributed and the following members joined one of three subcommittees:

Ombudsman - Sharon Woods, Wendy Meltzer, Marie Havens, Eva Hall, Margaret Niederer

Quality Standards – Mike O'Donnell, Neyna Johnson

Legislative/Advocacy – Nancy Flowers, Pat Comstock, Margaret Niederer

Subcommittees will be assigned functions and will meet via conference calls. Minutes of meetings will be posted on the IDoA Web site. Subcommittees will have limited access to conference calling. Mary encouraged members to sign up for at least one subcommittee.

The Council Executive Committee consisting of the two co-chairs and subcommittee chairs will act on behalf of the Council when the Council doesn't meet. Next steps:

1. Executive committee will meet to determine frequency and duration of subcommittee conference calls.
2. Subcommittee meetings must be in compliance with Open Meetings Act when emailing subcommittee members.

New Business

- Mr. O'Donnell referred the attendees to the *Illinois Issues* article, "Illinois has a moral responsibility and reason for concern," by Dana Heupel. The article discusses the Personal Needs Allowance and developmental disability services. The article may be found at www.illinoisissues.uis.edu.

Margaret Niederer agreed to prepare a letter for Co-Chairs to send to Illinois Issues on LTC Council.

- Myrtle Klauer advised the Council there is a newsletter regarding the McKesson Healthcare Solutions located at: www.nursinghome.org/pro/newletters/tweek_new/pdf/tw-1231.pdf. Sharon Woods will ask Mary Miller, of IDHFS to provide a presentation on McKesson at the next LTC Council meeting.
- Sgt. Dell reported the TRIAD group in Peoria wants to develop a program called Silver Alert, which would alert the community when an adult with dementia has left their home and can't be found. Someone needs to check on older persons and educate pharmacies, churches, agencies to be mindful of signs of having dementia. Recommended contacting Cathy Houghtby and Barb Manning at IDoA to discuss old Gatekeeper Program and elder abuse program that is adding self neglect component. Mike O'Donnell said we need to cognizant of our environment. For example, he said that Livingston County wanted to build a county run nursing home the county board allocated \$250,000 for alternative LTC. This is a 2 year demonstration providing meals, transportation and money management to avoid nursing placement.

The upcoming LTC Council meetings were scheduled for:

2008 3rd meeting- August 28, 2008 during the NAPSA conference and held as a video-teleconference meeting. Connie Hill will schedule meeting at two sites, Chicago and Springfield.

2008 4th meeting - November 18, 2008 at the office of AgeOptions in Oak Park

Adjournment: The meeting adjourned at 2:30 p.m.

Minutes prepared by Connie Hill