

**Minutes of the Meeting
of the Long Term Care Council Meeting
January 25, 2011
Chicago and Springfield**

Council Members Present: Lee Beneze, Co-Chair; Sally Petrone; Pam Edelman-Sall; Robyn O'Neill; Matt Hartman; Doree Vetter; Ben Brown; Eva Nell; Ann Ford; Michael O'Donnell; Dave Sutor; Myrtle Klauer; and John Hosteney

Department of Public Health: Rick Dees

Department of Healthcare and Family Services: Sharon Woods

Long Term Care Ombudsman Program: Neyna Johnson

AARP: Ryan Gruendfelder

Absent: Phyllis Mitzen

Call to Order: The Illinois Long Term Care Council was called to order at 10:06 a.m. by Co-Chair, Lee Beneze. The first order of business was a round of self-introductions. There was a quorum for the meeting.

Minutes: The July 20, 2010, minutes and October 26, 2010, were reviewed. Corrections are as follows:

-as to the July 20th minutes: change Pam Edelman-Sall's name was corrected;

-as to the October 26th minutes: Sally Petrone should be listed as a voting member of the Council, the reference to giving the Council updates should be to Phyllis Mitzen and Dave Vinkler, and Michael O'Donnell should be listed as absent.

With the changes, the minutes were approved.

It was noted that future minutes will be in a more concise format.

Briefing on New Federal Health Care Law

A detailed briefing on the new federal health care law (the Patient Protection and Affordable Care Act) was provided by Ryan Gruenefeld(er), the Associate Director for Advocacy and Outreach of the Illinois AARP.

Ryan explained various parts of the new law, including the Medicare Part D changes; expanded preventive, screening and wellness programs; closure of the pharmaceutical "donut hole" by 2020; the impact on Circuit Breaker; reduction of fraud and waste by the expanded use of electronic billing systems; and incentives for hospitals, Medicare Advantage Plans, and doctors

to provide better care. He noted that further information was available on the AARP website "aarp.org/getthefacts".

State Agency Reports

Department of Healthcare and Family Services

Sharon Woods gave a report on behalf of the Department of Healthcare and Family Services. She stated that there were currently 123 "supportive living facilities," with 9,576 apartments, and 8,974 residents. There are 37 approvals are pending; there were 7 revocations in 2010, and will be three or four in the next few months.

In commenting on the pending Deficit Reduction Act (DRA) rulemaking, which was published in August, over 300 pages of comments on the proposed rulemaking had come in. She stated that the issue of "retroactivity" of the rules was a primary concern of the received comments. The DRA rulemaking must be completed by August, 2011.

Department of Veterans' Affairs

Doree Vetter, of the Department of Veterans Affairs, made a brief report. She reported that the Quincy vets' home will be altered from a 20 bed to a 40 bed unit by extending the size of the building.

Department of Public Health

Rick Dees made an extensive report on the activities of the Department of Public Health, describing the development and current status of four sets of rules which are in progress.

He described the four Department of Public Health rulemaking packages as: (1) enforcement provisions (draft complete and published), (2) psychotropic drugs (draft compiled and distributed internally for comments), (3) Sub Part S, regarding residents with psychiatric illness (in an early stage), and (4) staffing (in progress).

Michael O'Donnell moved (Ann Ford seconded) that the Council support the development of an IT Unit for the Office of Health Care Regulation. It was also recommended that the motion include a rationale for the support, staffing and equipment. Motion adopted

Public Forum

A report was made on the very successful Public Forum at the Governor's Conference in December, 2010, which was sponsored by the Long Term Care Council and the Illinois Coalition on Mental Health and Aging.

It was noted that there were nine persons testifying and 80-90 people attending the hearing. Afterwards, the reaction of audience members was very positive.

Suggestions for using the written comments included: (1) distribute it to all legislators, (2) have the Illinois Association of Long Term Care Ombudsman help distribute them to their local legislators, (3) have the Illinois Council on Mental Health and Aging use them to demonstrate the need for public housing and supportive housing for persons with mental illnesses, and (4) include at least a summary in the Council's Annual Report.

It was decided to hold another public forum at the 25th Elder Rights Conference in Chicago (July 6-8, 2011).

State Long Term Care Ombudsman Report

Sally Petrone gave a report on the activities of the State Long Term Care Program, including information on the Money Follows the Person (MFP) Program, training, staffing issues, the annual report, and funding issues.

Sally Petrone said she was optimistic LTCOP will receive funding from the bed tax.

Ann Ford moved (Ben Brown seconded) to authorize the Co-chairman to draft a letter of support to the Governor and the Directors of the Departments of Human Services, Public Health, and Aging, requesting funding for the Long Term Care Ombudsman Program from the proceeds of the bed tax. The motion was adopted.

By-laws Revisions Committee:

The Council took up the proposed revisions of the Council By-laws. The proposed changes had been submitted at the last meeting by the committee which had reviewed the changes. There was a discussion of further changes. Motion made (by John Hosteny, with Dave Sutor as second) to adopt with with the following changes: (1) delete Section 4-6 which created the secretary position; (2) revise Sections 6-7 and 6-9 to eliminate the references to the secretary; (3) add language require the Executive Committee to ratify decision within 48 hours with the members, by electronic means; and (4) add a reference to persons in Section 5-4. The motion was adopted.

Annual Report

The Co-chair noted that the Annual Report had been adopted after being submitted to the members in November asking for any objection to the draft. None was received, so the Annual Report was considered adopted as of December 1, 2010.

Margaret Niederer raised a question of whether the list of past Council members should be assembled and included with the report. It was noted that that was the position of the Council in a discussion last July. Sally Petrone pointed out that the copy of the Annual Report had already gone to be posted on the Website, so it was decided not to hold it up.

The consensus of the group was that, for future posting, such a list should be assembled.

Membership

It was noted that there were still several vacancies on the Council, and all members were encouraged to seek potential candidates for membership, particularly family members are missing from the list. It was noted that there needed to be a written application submitted for Matt to replace Pat Comstock.

New Business:

Lee Beneze announced an election for the vacant Council Co-chair position at the next meeting. It was noted that Ben Brown and John Hosteny constituted the Nominations Committee. Any member interested in seeking the position could file his or her name with the Nominations Committee. Lee noted that he has been in conversation with someone who is interested in co-chairing and will urge that person to submit their nomination to the committee.

FY 2010 Legislation

The draft revisions to the ombudsman portion of the Illinois Act on Aging were submitted to the Council. It was stressed that these changes were still a "work in progress" and that the Council was not being asked to approve them. Before they could go to the General Assembly, these proposed changes must be reviewed within the Department, particularly by the General Counsel.

If the proposed changes are submitted to the General Assembly as a bill, there would be a dot-point sheet explain the changes accompanying it.

The Council was also advised that the Elder Abuse and Neglect Program is seeking a change to the Elder Abuse and Neglect Act that would allow the elder abuse provider agencies to keep an elder abuse case open after the client had moved into a long term care facility, if the elder abuse case had been made prior to the client moving into the facility. This would allow the elder abuse provider agency to maintain the case until an appropriate closure point can be reached.

Old Business

There was no old business to take up.

New Business

Margaret Niederer had, in the past week, drafted a letter to be submitted to Director Johnson, requesting \$4000 to support the operation of the Council. It was noted that the Council had never had any independent funding, and any potential additional expenditures (e.g., secretarial assistance) at this time could only come from the State Long Term Care Ombudsman Program.

Some members stated that they like calling in from home or office as opposed to going into the city to be on a video-conference. The decision was made to hold the next meeting in Springfield, with those choosing to do so calling in.

It was noted that the Illinois Guardianship Association will hold its annual state meeting and seminar on May 10th at Northfield Center, in Springfield, Illinois. In the past, this has included a very good set of presentations.

Next meetings

The next scheduled meeting is on March 22nd, at 10 a.m., at 130 West Mason. It will be a teleconference call-in, not a videoconference.

The meeting was adjourned at 2:00 p.m.