

Board of Directors Meeting
Board on Aging and Long Term Care
Holiday Inn at the American Center
Madison, WI 53718
May 16, 2019

Chair Tanya Meyer called the meeting to order at 9:00 am. It was noted that this meeting was properly noticed under the Open Meetings Notice law.

Members Present: James Surprise Dr. Dale Taylor
Tanya Meyer Dr. Valerie Palarski
Barbara Bechtel Michael Brooks

Members Excused:

Staff Present: Heather Bruemmer Kellie Miller Vicki Buchholz
Chris McElgunn Vicki Tiedeman Amy Zabransky
Jill Helgeson Kathleen Miller Steve Shapiro
Kim Marheine Rachel Selking

Guests Present: **Bob Kellerman**, Executive Director, Greater Wisconsin Agency on Aging Resources, Inc. (GWAAR)
Janet Zander, Advocacy & Public Policy Coordinator, GWAAR
Kate Schilling, Legal Services Manager, Elder Law and Advocacy Center, GWAAR
Anthony Pilsner, Financial Program Supervisor, Department of Administration
Jeff Becker, Department of Health Services

Agenda: Approval of agenda as submitted M/S/C (Palarski/Brooks)

Minutes: Minutes of the February 27, 2019 board meeting were approved as presented. M/S/C (Palarski/Taylor)

Presentation: Bob Kellerman, Executive Director, GWAAR
Mr. Kellerman explained their agency organization and programs:

- Part of the Older Americans Act
- Advocacy around legislation and grass roots efforts
- Elder Abuse prevention
- Family Caregiver support
- Health Promotion
- Legal Services
- Elderly Nutrition
- Transportation
- Title IV- Senior Employment
- Veteran's program

Presentation: Janel Zander, Advocacy & Public Policy Coordinator, GWAAR

Ms. Zander commented on the Wisconsin Aging Advocacy Network:

- Key issues for Wisconsin Aging Advocates
- Direct Care Workforce
- Elder Benefit Specialist program funding support
- Family Caregivers
- Healthy Aging Grants
- Reliable, Accessible and Affordable Transportation

Presentation: Kate Schilling, Legal Services Manager, GWAAR

Ms. Schilling commented on the Senior Medicare Grant:

- Goal is to prevent Medicare fraud, scams on Seniors
- Utilize volunteers to get the word out about Medicare fraud
- Provide counseling for people who have billing questions or who have had been victims or fraud
- Medicare fraud causes financial loss to seniors due to out of pocket costs
- Increase in Durable medical supplies fraud
- Increase in cancer screening fraud

Legislative Updates, Mr. McElgunn, Counsel to the Board: Legislative and Other Updates

Mr. McElgunn commented on:

- 1) Joint Committee on Finance
 - Voted to provide funding and position authority for 2.0 FTE (Ombudsman Lead and Ombudsman Assistant Supervisor) to the BOALTC.
- 2) State Legislation Relating to Reduction of Required Training Hours for Nurse Aides
 - Passed by Assembly Committee on Aging 6-2
 - No hearing has been scheduled to date by Senate Health and Human Services Committee
- 3) Governor's Task Force on Caregiving
 - Details TBD
- 4) Attorney General's Task Force on Elder Abuse
 - Will continue in different incarnation using VOCA grant funding
- 5) Extension of SeniorCare
 - Ten-year extension receives CMS approval
- 6) Federal Legislation Relating to CNA Training Lockout
 - Eliminate automatic CNA training lockout for skilled nursing facilities that are assigned civil money penalties exceeding \$10,000
- 7) Wellsky Ombudsmanager/Ship Reporter Sole Source Requests submitted
- 8) State Legislation relating to Diabetes Care and Prevention (SB 217)
 - Requires the Department of Health Services, in consultation with the Department of Employee Trust Funds, to develop and implement a plan to reduce the incidence of diabetes in Wisconsin, improve diabetes care, and control complications associated with diabetes. Under the bill, DHS may also consult with the Department of Public Instruction and the Department of Corrections in developing its plan. The bill requires DHS to submit a biennial report to the legislature that includes, among other information, the financial implications of diabetes upon DHS, the state, and localities, an assessment of

DHS's activities and programs relating to diabetes, and a proposed budget to implement plans related to diabetes care and prevention.

- Appears to have bipartisan support.

Medigap Helpline Update, Ms. Buchholz, Medigap Helpline Services Supervisor:

Ms. Buchholz gave program updates:

- The Medigap Helpline Programs have continued to be busy for the start of 2019. The staff completed 2869 calls during January through March. This compared to the first three months of 2018 with 2677 closed calls.
- **Staffing and Training Updates:**
The Medigap Helpline Program is fully staffed. Staff have been taking part in the development of a training which the rest of the staff will utilize. The training is on various topics from Medicare, supplements to drug options. This allows staff to share their knowledge and resources and allows the team to share trends and best practices. This will help train new staff and will assure continuity in information shared with agency callers.
- **Outreach:**
The Medigap Team has participated in 14 events in 2019 thus far, consisting of professional trainings to consumer informational and health fairs. Staff have been assigned counties to set up outreach events that will continue our expansion statewide. This will assure services provided by the Medigap Helpline Programs are more widely known.
- **Program Trends:**
Issues from some of the Medicare Prescription Drug plans has caused several persons to lose their prescription coverages, resulting in filing 15 Complaint Tracking Module forms with 12 cases awarding the beneficiaries.

Updates due to **MACRA (Medicare Access and CHIP Reauthorization Act)**

- Applied to those persons who have attained the age of 65 on or after January 1, 2020 OR those who first become eligible for Medicare by age, disability, or ESRD on or after January 1, 2020.
- Affects the Part B deductible rider: which covers the deductible which in 2019 is \$183.00.
- Does NOT prohibit the sale of the Part B deductible rider to those already on Medicare or already aged 65.
- Watch for misleading information shared by Agents/companies who may not fully understand who is affected by this provision.

Review of H.R. 1788 – To amend title XVIII of the social Security Act to limit the penalty for late enrollment under Part B of Medicare. Proposal is to limit the penalty to no more than 15% penalty with twice the period of no enrollment excluding periods when covered under Cobra, Retiree Coverage, or VA coverage.

Scams have always been costly for Medicare. Federal agents broke up a billion \$\$ Medicare scam that peddled orthopedic braces to hundreds of thousands of seniors. Two dozen charged; 130 medical equipment companies implicated. DNA/Genetic testing schemes are also on the rise. Wisconsin Senior Medicare patrol has reported on this. The Helpline has received a couple of caller's questions either a phone call they had received or a testing kit they had received.

Medicare Advantage plans were given the ability to start offering more Long Term Care supports in their plans. Added services could include home-delivered meals, non-medical transportation and in-home supports. Plans did not have the ability to get approvals in time for 2019, however, a new Medicare Advantage Learning Collaborative (MALC) is providing some Community Based Organizations (CBO's) with the knowledge needed to be able to partner with Medicare Advantage plans to offer these services. Aptiv, Inc in Wisconsin (La Crosse) has been selected, they serve youth, teens, and Adults with disabilities.

Ombudsman Services Update, Ms. Marheine, Ombudsman Services Supervisor: Program Updates

Ms. Marheine reported the following:

Ombudsmen continue heightened monitoring of particular facilities, as well as monitoring the adjustment of residents relocated from several closures. Additionally, the following have been particular areas of casework regarding rules and regulations:

decision-makers who seek to restrict resident rights; requests to deactivate POA-HC documents for the purpose of admitting a resident to an RCAC; rights of residents who wish to engage in sexual relationships; facility-initiated discharges with improper discharge planning and notice processes; facility grievance processes; nursing homes seeking to change their level of care and reimbursement from long-term care to short-term rehab.

Work groups led by regional ombudsmen continue to make progress on established goals. Highlighted work was discussed specifically around the workgroup reviewing issues related to access to long-term care programs by persons who are or have been incarcerated.

Ms. Marheine reported that the agency's annual data has been verified by the Administration for Community Living (ACL). Further, recruitment is in process to fill the IRIS Ombudsman vacancy.

Ms. Marheine recently presented CY 2018 Family Care and IRIS data to the Long Term Care Advisory Council, in coordination with Disability Rights WI, and discussed trends in casework, collaborations to improve quality of services.

Twenty-one Immediate Jeopardy cites (as compared to 19 in the previous reporting period) were noted since the October board meeting. Staffing complaints continue to be the most common among assisted living and nursing home complaints.

Volunteer Services Update, Ms. Miller, Volunteer Services Supervisor: Program Updates

Ms. Miller introduced Volunteer Coordinator, Amy Zabransky, who was hired to cover Dane, Columbia, Rock and Sauk counties. Amy spoke of her past professional experiences and of her excitement and interest in her new position.

Ms. Miller provided the following updates:

- The 2019 recipient of the prestigious Louise Abrahams Yaffe Volunteer Ombudsman Program Award has been selected and will receive their award on May 19th at the Alzheimer's Associations 33rd Annual State Conference held at the Kalahari resort in the Wisconsin Dells.

The Volunteer Ombudsman Program staff will be attending the Alzheimer's Associations 33rd Annual State Conference, at the Kalahari May 19th - 21st, 2019.

- The Volunteer Ombudsman Program's 25th year anniversary event was held May 15, 2019 in Madison. The day was filled with information, appreciation, and networking for the Volunteer Ombudsmen from 32 counties in which the Volunteer Ombudsman Program advocacy services are provided. Ms. Miller thanked the Board on Aging staff and the Board Members for helping make this event so special for the Volunteer Ombudsmen!
- The VOP continues to support the residents during the current facility closures and relocations. The Volunteer Coordinators and Volunteer Ombudsmen are working closely with the Regional Ombudsmen and the Relocation Ombudsman Specialist. Volunteer Ombudsmen assigned to a closing nursing home continue with weekly visits until each resident has moved. The Volunteers then work with their Coordinators to select a new nursing home assignment.
- Outreach for community education, awareness and volunteer recruitment is in full force. The Volunteer Coordinators are promoting the need for Volunteer Ombudsmen in several areas on local television and radio shows, setting up exhibit booths, making presentations, and posting the recruitment posters in local businesses.
- Staff in-service was conducted April 2nd & 3rd, 2019 in Madison.

Comments from the Public: No comments from the public were received.

Administrative Report: Ms. Bruemmer, Executive Director/State Ombudsman:

Ms. Bruemmer reported on the following:

- The ED met with the Appointment Director at Governor Evers office to give an overview of the agency
- Ms. Bruemmer introduced Anthony Pilsner, Financial Program Supervisor, Department of Administration who provides support to BOALTC
- The ED has met with the Secretary of Department of Veterans Affairs, Secretary of the Department of Health Services and with the Department of Administration Secretary to provide an agency overview
- Finances for the agency are on track for the 4th quarter
- Administration for Community Living will be having a reorganization in their regions and we should know more this fall

New Business: No new business.

Next Meeting Date: August 7, 2019

Other future meeting dates are:
October 30, 2019

Adjournment: Meeting adjourned at 2:30 pm; M/S/C (Bechtel/Surprise)

Respectfully submitted,
Vicki Tiedeman, Recorder