

LONG-TERM-CARE COORDINATING COUNCIL

Full Council Meeting

Wednesday, May 11, 2005

Room 313 1st State House

Providence, Rhode Island

Meeting Minutes

I. Chairman Fogarty called the meeting to order at 10:05 am

In attendance were:

Lt. Gov. Charles Fogarty, Chairman Dr. Louis Marino

Maureen Maignet, Executive Director Elizabeth Morancy

Maria Barros Patrick Quinn

Cynthia Conant-Arp Sen. Elizabeth Roberts

Dr. Herb Constantine Ray Rusin

Bob DiCenso Al Santos

Jim Flanagan Bonnie Sekeres

Kathleen Spangler Karen Smith

Sen. June Gibbs Susan Sweet

Kathy McKeon (rep. Dir. Calise- Russo) Anna Tucker

John McGehearty (rep. Cindy Soccia) Sister Marietta Walsh

Kathy Heron (rep. Roberta Hawkins)

John Young (rep. Dir. Hayward)

Guests:

Kathleen Kelly Christopher Novak Susan Saccoccia-Olson

John McLaughlin Joan McLaughlin Gail Hebert

John Gage Leslie Turner Lisa Ponterelli

Roberta Merkle Alan Tavares Bob Caffrey

Mary Bennett Kristen Pono Jessica Buhler

Terry Leary Dick Freeman

II. Approval of Minutes of March 9, 2005 - Upon motion of Senator Gibbs, seconded by Ms. Sekeres, the minutes of the March 9, 2005 meeting were unanimously approved as distributed.

III. CHAIRMAN'S REPORT

1. Chairman Fogarty introduced Donna Rotondi who has replaced Lori Field as Executive Assistant to Maureen Maigret. Donna will assist with LTCCC work and has already talked with many LTCCC members on the phone or communicated with them via emails.

2. The Chairman thanked all those who participated in the March 21st Press Conference he held to support increased funding for Home and

Community Care and the "REAL CHOICES" Plan he put forward to include \$3.5 Million in flexible funds in the FY2006 budget to strengthen home and community care and to address shortages and gaps in H/C Care, i.e. Respite, Assisted Living, Case Management, and a Provider COLA. The press release containing the outline for "REAL CHOICES Plan" is on the Lt. Gov.'s website.

3. The Chairman is scheduling meetings with Senate and House Leaders to promote the LTCCC agenda and 2005 Work Plan and the "REAL CHOICES Plan".

4. Chairman Fogarty has been visiting Senior Centers to educate seniors regarding the potential negative impact of Medicare Part D for some low income seniors who have been on RIPAE and who will not be eligible for the Medicare Part D low income benefit and to promote RIPAE Wrap around legislation.

5. Chairman Fogarty congratulated the LTCCC Members selected as White House Conference on Aging delegates: Kathleen Connell, Angelo Rotella, Corinne Russo, former member Ann Gardella and Maureen Maigret (alternate). DEA listening hearings are starting next week to get consumer feedback. (Note: Sr. Marietta Walsh is also an alternate)

6. Chairman Fogarty reported that the RI Foundation has invited key interested persons to dialog sessions to discuss the issue of oral health care for nursing home residents and to explore solutions. The first session was on May 9th and the second one will be held on May 17th. Ms. Maigret will be attending this session for the LTCCC. Mr. Young and Mr. Santos both discussed the first session as one that

set the stage and laid out the issues. Much of this information has been presented to the LTCCC at previous meetings.

Chairman Fogarty reported that the next full LTCCC meeting date is rescheduled to June 15th. The agenda will include a status report on the 2005 LTCCC WorkPlan.

IV. RI HEALTH Monthly Survey Report ;V Ray Rusin

„h Mr. Rusin distributed reports for the months of March and April (See Attachment # 1) Mr. Rusin noted that Harris Manor at Chopmist Hill had been surveyed on March 23rd and immediate jeopardy due to pressure ulcers was cited which put them on a 21 day termination track. A CMS penalty of \$5000 was imposed and the facility has been monitored carefully, including weekend visits by the ombudsman. In addition, the Pressure Ulcer Team from Eleanor Slater Hospital has been coordinating staff training on pressure ulcers. A civil monetary penalty of \$400 per day effective April 7th was also imposed. Currently the nursing facility has a census of 27, which is quite low. Mr. Rusin reported that Harborside Greenwood and Haven Health - Greenville are now in compliance. Mr. Santos raised the issue of a new protocol adopted by the Department of Health requiring family notification whenever a facility, upon a survey follow-up visit, has been found to be out of compliance. He indicated that even when the citations or deficiencies were of a relatively minor nature, such as a dirty wheelchair, a letter to families per the directive of the Department of Health needed to be done. Mr. Santos felt that this was unfair and could unduly alarm family members if the situation was not

adequately explained. Mr. Santos also raised the issue of these facilities being put on the LTCCC monthly survey report. Several members of the Council discussed the matter following which Chairman Fogarty asked that the workgroup that had provided recommendations for the monthly report reconvene to discuss the matter as well as any changes to the format for the monthly reports to the Long Term Care Council as it had been the understanding that this was still a work in progress.

V. Legislation and FY2006 Budget Reports

„h Senator Gibbs discussed the updated Legislative Tracker (Attachment #2) that had been distributed and noted that most of the legislation was in the hearing process with two of the resolutions memorializing Congress regarding Medicaid cuts and Social Security, having passed both houses at this time. Senator Elizabeth Roberts, Co-Chair of the Joint Permanent Committee on Legislative Oversight and a member of the Council, reported on the process that will be used by the Joint Committee to review nursing home reform bills for 2005. She noted that they would use a process similar to the one used last year to review legislation related to health insurance. Most likely the Joint Committee will recommend several pieces of legislation based upon the legislation introduced at the request of the Lt. Governor and LTCCC, the Attorney General, the Governor's office, as well as recommendations from the Auditor General and State Departments. These bills were still in the drafting stage,

however, they will be made available and the regular standing committees in the legislature will hold hearings on them. Individuals will be free to offer comments in person or in written form. Most likely the bills will be available on the General Assembly website prior to the hearings.

„h Ms. Maigret reported that five of the Council’s recommended bills are scheduled for hearings before the House Finance Committee on Friday, May 13th. Those bills are:

H5294, H295, H5299, H5672, and H6197.

VI. Committee’s Project’s Commission Reports

A. Fall Prevention Partnership’s M Maigret

„h Ms. Maigret noted that a successful workshop had been presented on the Shalom Apartments Fall Demonstration Program for Elderly Housing as part of RIAFSA’s annual conference. Ms. Maigret asked Ms. Sekeres to report on the workshop.

„h Ms. Sekeres noted that she was providing Ms. Maigret with a copy of the Powerpoint presentation for Ms. Maigret to put on her website and people could review it at their discretion. She noted that the grant from AOA (The Administration on Aging) was being extended for five months and that Shalom would be submitting for additional grant funds for the next year to expand the demonstration program to other venues such as adult day centers and home care settings. She noted that as part of the demonstration they had done individual

assessments for each of the tenant's units as well as individual assessments of the tenants. The demonstration also included a medication review using the "brown bag" approach and that a number of issues regarding medications had been found that needed to be followed up on.

Ms. Maigret thanked Ms. Sekeres for the excellent job she is doing in implementing this demonstration and noted its great utility as a model for other entities in the state and nationally. Ms. Maigret indicated that the presentation would be available on the Long Term Care Council's website, as well as the Fall Prevention Partnership's website.

Ms. Maigret noted that the Council members had been mailed a brochure for the "Fall Prevention Through Behavior Change Workshop" being sponsored by the Council in coordination with CareLink that is being held on May 27th at the Radisson Hotel in Warwick. She indicated that, to date, they had received 58 registrations and they would need to cut off registrations at the 60 level mark. If anyone from the Council wishes to attend and has not sent in their registrations they need to do so right away. Ms. Maigret reported she was very pleased with the response to the offering of this workshop.

B. Report on Minority Use of Elder Services V Susan Sweet

„h Susan Sweet discussed the report on Minority Use of Elder Services prepared by the Minority Elder Task force with the assistance of the staff of the Long Term Care Coordinating Council. (See Attachment #3) Ms. Sweet noted that one of the issues discovered in collecting the data was the need to develop a more systematic process for collecting data on service-use by minority elders and that she would be re-grouping with members of the Minority Task Force to discuss ways to strengthen this process. Ms. Sweet also noted that the census figures available for RI seem to have some gaps or are in need of clarification. For example, the number of persons age 65 and older may be greater than the number reported of persons age 60 and older. The bottom line is that there needs to be more attention to collecting data on minority elder service use so that as we move forward we can ensure that this population is being adequately served.

C. LTCCC Budget Report FY2004 ;V M Maigret

„h Ms. Maigret discussed the draft that had been distributed to all Council members. (Attachment # 4) Ms. Maigret noted that chart Number One on Page One needed to be corrected to indicate that the percent for Home and Community Care was 9.5%as opposed to 10%. She also noted that the report was in ;§draft;” form and she asked if anyone had any comments, questions or corrections to provide them to her via email within the next ten days so she can finalize the report and print it in its finalized form. Ms. Conant-Arp raised a question

about the figure used for Adult Day Care costs shown on page two, as she thought it was too high. Ms. Maigret said she would check the data and get back to Ms. Conant-Arp and Council members if this needs to be corrected.

„h Chairman Fogarty thanked Ms. Maigret for her work on the report and that of the members of the workgroup from HEALTH, MHRH, DHS, and DEA who provided Ms. Maigret with the data.

„h Ms. Maigret also noted that she wanted to re-check the figures she had used for the average SSI payment for Assisted Living. The figure she used was \$4500 annually. She noted that not each resident on the Assisted Living Waiver participated in the SSI Enhancement Program and those that did, did not necessarily use the full, monthly, maximum level of the Enhancement.

„h Finally, Ms. Maigret noted that the line item for Hospice Care had increased dramatically from the prior year (93 % increase). She intends to try to get a better picture of why this increase occurred. She did note that there has been a fluctuation in the hospice care line item in past years but wanted to find the explanation for such a dramatic increase.

D. June 2nd Public Forum - Quality Innovations in Nursing Home Work & Care

„h Ms. Maigret noted that all members of the Council had been sent a „Save the Date” email notifying them of this upcoming public forum which is being sponsored in cooperation with Quality Partners of RI.

Chairman Fogarty noted that this is the third and final in a series of health care public policy forums being conducted with a small grant his office received from the Rhode Island Foundation. Ms. Maigret noted that Chairman Fogarty had wanted to do something very positive in the public arena in looking at nursing home care. Culture change, the subject of this public forum, is a national movement that has great potential to improve the quality of life for nursing home residents. She encouraged all members of the Council, when they receive their brochure, to sign up to participate in this forum.

VII. Announcements and Public Comments

,,h Kathy McKeon noted that the 2005 DEA Pocket Manuel is available and she distributed copies to all present.

VIII. Adjournment

,,h There being no further business before the Council, Chairman Fogarty adjourned the meeting at 11:35 AM noting that he may be calling upon Council members to do some additional advocacy in the legislature as the legislative session continues this year.