

Report from the Executive Director

Thursday, July 20, 2017

This quarterly report for FY 2017 includes information for the period

April 1, 2017 — June 30, 2017

Public Policy

We were successful in blocking the consolidation of the PA Department of Aging into the large PA Department of Health and Human Services. Those two current agencies will consolidate – this was part of the recently passed PA FY '18 budget. We have been advocating for about 2 years for the state to adapt gender-neutral language in their materials and data collection – they have reached out to SAGE, the National Resource Center or LGBT/Aging to provide consultation to do this. I have had conversations with the Governor's policy office about the independence of the Ombudsman program. At this point, they are planning to move the program from the Department of Aging to the Office of the Consumer Advocate in the Attorney General's office. They are interested in talking further about independence at the local level and have asked for suggestions about who to include in a workgroup about this.

On April 4, CARIE and other advocates sent a joint letter to the PA Auditor General about ongoing problems with Maximus, the current Independent Enrollment Broker (IEB) and on May 16th, I met along with CLS staff with the Auditor General and his staff. He was receptive to auditing this but had other matters to consider. To date we have not seen any action on their part.

On April 17, I provided testimony at a joint public hearing of the Pennsylvania House Aging and Older Adult Services, Health, and Human Services Committees in Harrisburg and another hearing on May 19 in Philadelphia sponsored jointly by the Senate Aging and Youth, Appropriations, Health and Human Services, and Intergovernmental Operations Committees about the proposed consolidation of the Departments of Human Services, Health, Aging, and Drug and Alcohol Programs.

On April 24, Karen Chenoweth provided testimony at SEPTA's public hearing, *Fiscal Year 2017 Operating Budget and Fiscal Years 2018-2022*, about the adverse effects of increasing shared ride and paratransit fares. On April 24, Amanda Solch, a CARIE Social Work intern from University of Pennsylvania's School of Social Policy and Practice provided a public statement for CARIE at PECO's prepaid meter pilot program public hearing, in opposition to the program.

On June 12, CARIE submitted comments to the Department of Human Services about its draft *Medical Assistance Quality Strategy for Pennsylvania*. CARIE made a number of recommendations to improve and ensure quality in the Medicaid program

Public Policy, continued

from the start of CHC, especially for those who are applying for or are receiving long-term services and supports (LTSS).

On June 26, submitted comments to Centers for Medicare & Medicaid Services (CMS) about a proposed rule for skilled nursing facilities, expressing CARIE's opposition to CMS' modifying or removing regulations related to the grievance process, the Quality Assurance and Performance Improvement (QAPI) process, and discharge notices to the long-term care ombudsman. In response to CMS's request for ideas for changes to eliminate unnecessary burdens for providers and patients, CARIE urged CMS to use sub-regulatory guidance to clarify that any time a patient spends in the hospital count toward satisfying the SNF 3-day rule required to qualify for Medicare coverage of a subsequent SNF-stay. Finally, CARIE addressed COBRA-related Medicare Part B penalties and requested that Medicare create a special enrollment period for these beneficiaries and retroactively remove penalties from consumers who were caught in this trap.

Staff participated in PA LTC Council meetings and meetings with the Governor's Policy Office around the proposed agency consolidation. Kathy participated by phone in one Medical Assistance Advisory Committee (MAAC) meeting and attended one meeting in Harrisburg. She also participated by phone in one LTSS MAAC meeting, two Senior Support Coalition calls, one PCA LTC Advisory Committee meeting, one Medicare Alliance call, and 3 MLTSS MAAC webinars during this quarter. Two legislative committee meetings were held this quarter.

Kathy authored an article, [Advocacy for Older Americans: It's the law!](#), published in the 2017 Special Section on LGBT Aging in the Philadelphia Gay News (both print and online editions).

Senior Medicare Patrol - PA-SMP

CARIE administers the Pennsylvania Senior Medicare Patrol (SMP) program under contract with the Administration for Community Living/Administration on Aging, a department of HHS. SMP recruits and trains a corps of retired volunteers to educate peers about fraud in the Medicare and Medicaid programs.

The SMP's outreach numbers are as follows: **Outreach events: 65, total attendance at events: 2,362. We had a total of 33 interactions with consumers, both simple and complex issues.** The SMP would also like to highlight the following activities for the period of April-June 2017:

Senior Medicare Patrol - PA-SMP (continued)

- Staff traveled throughout the state in May to hold recognition luncheons/update meetings with volunteers. The volunteers have expressed that they enjoy these events and would like to try to meet in person more frequently than once a year.
- The SMP continues to reach out to state legislative offices, to promote the ScamWire scam alert and provide them with flyers for their constituents.

The SMP continues to work on developing its new presentations. Staff has also put an emphasis on outreach regarding CMS' new Medicare card initiative, as we anticipate a lot of scam activity surrounding the new cards. SMPs around the country are already reporting scams on this issue.

- One new volunteer was trained during this time period

The SMP has seen a rise in scams related to back braces and other similar types of medical equipment, both in PA and nationwide. Consumers are reporting multiple calls daily by individuals trying to sell these devices. They claim that Medicare pays for the devices, and they solicit personal information. Often, the equipment received is of poor quality and is not fitted to the beneficiary. Beneficiaries also report not being able to return the equipment. Additionally, many are billed for the devices.

Finally, the SMP program manager continues to participate on the national SMP program's SIRS database workgroup, which endeavors to improve and streamline SMP data collection and entry.

CARIE LINE

The CARIE LINE is a unique client-centered, education, consultation and advocacy service for older adults. CARIE LINE advocates for older adults and family caregivers with a wide range of problems, including access to health care and provides community education reaching thousands of others. The CARIE LINE also serves older victims of crime and violence in Philadelphia through court accompaniment, safety planning, emergency home repairs and referrals for health, legal and social services.

CARIE LINE responded to **214 callers** (consumers, families, friends and professionals) during this reporting period and assisted consumers with **406 issues** representing a variety of problems. The top three problems called about were 1. Health insurance 2. Transportation issues 3. Housing concerns.

This quarter CL conducted **23 presentations reaching 515 consumers**. During this reporting period staff Mariel Lorenz conducted a presentation on Bullying for professionals during the 2017 William J. Neff Sr. Symposium on the Prevention of Crimes

CARIE LINE, continued

against Older Adults in Bucks County. Mariel reported that the attendees were receptive and interested in reducing bullying among older adults in their respective communities.

Staff coordinated and hosted a Homeless Advocacy Roundtable in June. This roundtable brought together approximately 10 agencies from the aging network and homeless network (among others) to discuss the existing gaps in service pertaining to older adults who are experiencing homelessness. All who attended reported that this was a very informative meeting and a great opportunity to determine the key advocacy issues that need to be addressed.

Staff have been partnering with local churches in an effort to conduct outreach regarding health insurance options for their congregations and report that the initial effort is going well. Two town halls were also conducted during this quarter to discuss ongoing issues with transportation. About 50 older adults were in attendance.

PAVE

Providing Advocacy for Victimized Elders (PAVE) is an elderly victim assistance program through CARIE that services older adults 60 years old and over in Philadelphia. The program provides court accompaniment, arranges transportation to court, assists in filing Crime Victim's Compensation requests, assists with preparing Victim Impact Statements, helps with restitution and more. In addition, the program along with the CARIE LINE administers the Elderly Victims Emergency Security Fund (EVESF) to help secure the homes of crime victims.

The PAVE Program served **275 victims of elder abuse and crime, including 16 older adults who received new locks and/or doors using the EVESF fund.** Among those who received emergency repairs, all reported feeling more secure as a result and were satisfied with the services they received.

PAVE staff receive a list of older adults who have been a victim of crime from the D.A.'s office approximately twice a month. This list represents all older adults that have a court date pending and will need interaction with a PAVE advocate. PAVE staff want to ensure that they are capturing older adults who have been a victim of crime who (for whatever reason) do not end up on the D.A.'s list. They have started an initiative in which they have started collaborating with other victim agencies in the city who may have been in contact with older adults who were victims of crime in need of an advocate (or other assistance at CARIE).

PAVE, continued

One interesting case that came up with a the Long Term Care Advocate is a situation in which a nursing home resident's son was charged with kidnapping for ransom, interference of a custody committed person, recklessly endangering another person and false imprisonment because he moved his mother home without informing the nursing home. When the advocate met with the resident to discuss the upcoming case, the resident told the advocate that she was not a victim at all, that she was tired of the nursing home and wanted to move home. Her son was just doing what she wanted to do. She was upset because her son was in custody for a crime that she feels was just a bad decision on her part and a misunderstanding. Compounding the situation was the fact that she had a guardian (who was not her son) who was not aware that she had left the facility with her son which most likely led to the police being called. In this case the advocate discussed the case with the Assistant District Attorney who agreed to drop all charges except interference of custody of a committed person.

As part of CARIE's holistic approach, staff are actively discussing the other two problems that have come up in this case, 1) Does this nursing home resident really need a guardian? 2) If so, what role should she have in decision-making? 2) Can she move home? 3) Are there risks if she does move home?

Long Term Care Ombudsman Program

The Long-Term Care Ombudsman program is a federally mandated program providing advocates for long term care consumers through which CARIE represents more than 4,000 residents of 150 settings in Philadelphia.

The PA State LTC Ombudsman Program is focusing its annual monitoring on working with local ombudsman programs and remedying both personal and organizational conflicts of interest. CARIE's ombudsman office has been completing worksheets and forms for each ombudsman (staff and volunteer). To be in compliance with the new regulations, each ombudsman must disclose personal conflicts of interest (such as a family member working in a facility in CARIE's ombudsman service area) and then remedying those conflicts (for example, ensuring that the ombudsman does not conduct ombudsman work in a facility that family works or resides in). The Philadelphia program is scheduled to be monitored in August and we do not expect any issues to arise related to our staff or volunteers. Currently we have one staff member and two volunteers who have disclosed having family members in LTC facilities but none live in our service area.

Long Term Care Ombudsman Program, continued

The new ombudsman regulations now require that the ombudsman program receive notice of discharges from nursing facilities. In this quarter the ombudsman has not received any notices of intent to discharge. CARIE ombudsman raised this concern with the State Office requesting they review their internal process for which they send discharge notices to each local program. In PA nursing homes are required to send involuntary intent to discharge notices to the state ombudsman program who pulls out any suspect discharge notices to send to the local program.

The ombudsman made **68 visits to long term care settings this quarter and received 33 calls about issues** pertaining to long term care. Staff and volunteers attended the Annual Ombudsman Conference this year which focused primarily on compliance with the ombudsman regulations and education about the new revised nursing home regulations.

Administration/Management

Kathy Cubit received a community service award for advocacy from the Philadelphia Emergency Fund Coalition at its luncheon on June 15th. About 12 staff attended the lunch to support her. Thanks to Mary Fallon for hosting 4-5 of our staff.

We submitted a letter of intent for the Robert Wood Johnson Foundation's Consumer Advocacy for Transformation Program to establish and support a consumer collaborative around Community Health Choices (CHC), Pennsylvania's Managed Long-Term Services and Supports initiative. We were one of 180 organizations applying and are not one of 22 who have been moved to the next step. Eight-ten will be chosen to receive funding. The grant is for about \$270k over 2 years and if we are selected would begin in September 2017. Independence Foundation has invited us back to apply for another \$50,000 for calendar year 2018 for CHC advocacy. We received an invitation from the Barra Foundation to submit an application for funding. This is an invitation-only foundation; they have anonymous "nominators" who suggest agencies to consider for an award of \$25,000 in discretionary for each of 2 years. The nominators are revealed after awards are made although we won't be told specifically who nominated CARIE.

We were approached by the Philadelphia Corporation for Aging (PCA) to take over a contract that was managed by an organization that closed its doors on June 30. It is a pass-through contract to pay consultants who conduct training for their staff and contractors. We will process payment for the consultants and will receive payment of about 14.25% of fees.

Administration/Management (continued)

Professional programs/meetings/trainings (this list is not inclusive):

- Attended two Elder Justice Roundtable meetings in Montgomery County
- Attended two meetings along with Joan Davitt and Michele Mathes of the “Conversations about Change Cohort” sponsored by the Independence Foundation.
- On April 12, I attended an Alzheimer’s Disease and Related Disorders (ADRD) forum sponsored by the PA Department of Aging about its ADRD state plan.
- On April 24, I spoke at the Alzheimer’s Association’s Annual Southeastern Pennsylvania Dementia Conference in Valley Forge on Advocating for Persons with Dementia.
- On May 3rd I presented a program, “Scams and ID Theft and II-Warning Signs of Financial Exploitation” for Encore Experiences, a Senior Center in Harleysville, PA.
- On June 1st, I presented along with Mark Neuman, MD, “The Penn-CARIE Research Partnership: Working to Improve Quality of Life for Older People After Major Surgery” at the RWJF Clinical Scholars Final National Meeting.
- On June 7th, I presented on a panel, “The Old Is New: Empowering, Collaborating, and Advocating for the HIV and Aging in Philadelphia” at the End AIDS: HIV Prevention and Outreach Summit
- Attended meeting of the Advisory Council for Elder Justice in the Courts in Harrisburg on June 7-8. I was also asked to join the Long-Range planning committee for the group to focus on governance.

Respectfully submitted,

Diane A. Menio, Executive Director