

**LONG TERM CARE SUPPORTS & SERVICES
ADVISORY COMMISSION**

JULY 23, 2007

Capitol View Building, Conference Rooms A, B & C

MINUTES

COMMISSIONERS IN ATTENDANCE: Robert Allison, RoAnne Chaney, Andrew Farmer, Connie Fuller, William Gutos, Dohn Hoyle, William Mania, Yolanda McKinney, Hollis Turnham, Toni Wilson, Sharon Gire

COMMISSIONERS EXCUSED: Christine Chesny, Linda Ewing, Marsha Moers, Jon Reardon,

COMMISSIONERS ABSENT: Sandra Kilde, Denise Rabidoux, Reverend Charles Williams II,

EX OFFICIO AND OTHER MEMBERS IN ATTENDANCE: Mary Ablan, Vickie Enright, Don Mussen, Sarah Slocum, Michael Head

HANDOUTS: Agenda, June Minutes, Executive Committee Conference Call Notes, OLTCSS Director's Report, LTC Issues Forum Notice, Michigan Direct Care Workforce Powerpoint Presentation and Resource List, OLTCSS Update, Overview of Prepaid LTC Health Plan Concept Paper, Addressing the Issue of Long-Term Care as Baby Boomers Age Powerpoint Presentation

WHAT'S HAPPENED

INTRODUCTIONS – Farmer initiated Roll Call.

APPROVAL OF JUNE MINUTES – Gire provided a clarification to the June minutes. Blue Cross/Blue Shield has requested a 50% increase. It has not been approved at this point. Also, Allison should be reported as “excused” from the June meeting, not “absent.” Motion to approve June amended minutes by Turnham, second by Mania. Minutes approved, as amended, by voice vote.

APPROVAL OF AGENDA – Motion to approve agenda by Turnham, second by Chaney. Motion passed by voice vote.

REPORT OF CHAIR – The Executive Committee minutes were distributed. Farmer met with Abouzahr regarding health care for legal immigrants issue. Abouzahr will provide further information. DHS has also expressed interest in this information.

Turnham and Chaney completed the Charges to the Workgroups. These are based on the Task Force and Executive Order charges. The charges have been issued to the workgroup chairs and are available upon request. The Office will add these to the Operational Guidelines.

Farmer requested that all Commissioner's requests for information to the Office go through Farmer.

Wilson asked about the proposed Chair retreat. This will be tabled until the workgroups have met, at least initially.

The September Commission meeting may be convened in Detroit. The morning will be dedicated to public comment. Commissioner attendance at the morning session is not mandatory. The regular meeting of the Commission will begin at 1:00 pm. The Office will assist in finding a site for the meeting. Publicity of the meeting and the focus on the Task Force recommendations is required.

WHAT'S HAPPENING

OLTCSS DIRECTOR'S REPORT - Head provided an update of office activities. There will be a LTC Issues Forum on July 26.

- **LTC Connections** - There will be a forum in August.
- **Office Development** - The Office received approval to fill the 2 grant positions for the Systems Transformation Grant and the DRA/Money Follows the Person grant. This will be an external fill. Paid position.
- **LTC Insurance** - Head indicated he will distribute some information on this project. The workgroup meets about every three weeks.
- **MI Choice** - Robert Mollica, a national expert, will be contacted to assist with the policy regarding waiver services provided in a specialized licensed residential setting.

- **Prepaid LTC Health Plan** - Head provided a background on this project. Future workgroups will focus on quality management. Health Management Associates is completing a feasibility study. The goal of the pilot project is to be similar to Wisconsin Family Care. All LTC services will be an entitlement through a single entity; person-centered planning and supports coordination are elements of this plan. It is too early to get the Finance Workgroup involved with this project. Mania noted that he knows people currently living in assisted living facilities are very interested in this project.
- **Person-Centered Planning** - The time for comments is over for the draft guidelines. It was noted that no waiver responded to the draft. It was determined this was due to the waiver agents being very involved in the development of the draft from the beginning. Mania had attended a meeting at 1B AAA and indicated that no staff were aware of person-centered planning. Ablan was to pursue this.
- **New Real Choice Grants** - The abstract of the grants were distributed and letters of support from the Commission were requested. Both grants are due July 27, with response from CMS by the end of September. It was suggested that the Person-Centered Planning grant use the Rhonda Montgomery material.
- **LTC Issues for Baby Boomers** - Farmer, Gier, and Head did a combined presentation House Senior Health Security and Retirement Committee. The power point presentation is available on the DCH/LTC web site and the PHI website.
- **Budget:** the House passed a \$300M budget. However, this is expected to be negotiated down.

ESTATE RECOVERY/ESTATE PRESERVATION - Curtis Hertel provided information regarding this issue. Estate recovery is required by CMS for each Medicaid program and Michigan is the only state without it. CMS sent Michigan a letter of noncompliance that, if not resolved, could have significant impact. DCH and CMS will have a precompliance meeting soon to discuss this issue. The legislature was sent a copy of this

CMS noncompliance letter. The Commission has also requested a copy of this letter.

Estate recovery basically allows the state to recover some of its funds, through a lien on the consumer's home, that were used for a consumer's long-term care needs. The DCH is lobbying for this legislation, however; it is not readily accepted by the legislature. Senate Bill 374 has been introduced, revised, and is currently under negotiations. Senate Bill 627 is estate preservation. Estate preservation will allow a person to pay a specific amount of money, based on their mortgage. This money is part of a pool of funds used to pay the consumer's long-term care needs. DCH supports this bill as an option for estate planning. Estate preservation will only work if estate recovery is passed. The two bills may be tie-barred together. Even if the bills are passed, a State Plan amendment and policy promulgation will have to be completed.

MICHIGAN DIRECT CARE WORKFORCE INITIATIVE - Lauren Swanson and Pat Adnerson provided information on this initiative. Mania indicated that the Governor had indicated that the use of Medicaid funds for insurance for home help aides has passed. There was discussion regarding this. It was thought that this was part of the Michigan's First Health Care plan. This is a waiver that is to be submitted soon. It does not have CMS approval.

CERTIFICATE OF NEED - This will be tabled for a future meeting. Tichnell will provide the link to the the CON Advisory Group web site.

PUBLIC COMMENT -

- Tameshia Bridges provided comment on the lack of health insurance for home help providers. She provided two handouts: PHI's report on Health Insurance Coverage Initiatives for the CMS Direct Service Workforce Demonstration Grants 2003 and 2004 and When Caregivers Lack Coverage. It is unknown how many of the home help providers are certified nurse assistants. Allison thanked PHI for their report and noted that health insurance is required for a viable sustainable system.

- Jean Peters provided information on the Northwest Michigan Council of Governments grant for training and recruitment of the direct care workforce. They have developed a comprehensive career pathway with a focus on long-term care. This includes individual workers as well as agency staff. They have talked to the waiver agents and area agencies on aging. At this point, the NWMCOG only works in 10 counties in the lower peninsula. They are not working in the UP. Jean will provide the Office with information on the Council on Governments.

WHAT WE'RE GOING TO DO ABOUT IT?

- **Estate Recovery:** It may be some time before anything happens with this legislation due to the negotiations. Once the bill has been completed, the Office may obtain highlights through the existing State legislation web site.
[http://www.legislature.mi.gov/\(S\(fxvgrmzoliujl2ucnfmvcbqk\)\)/mileg.aspx?page=home](http://www.legislature.mi.gov/(S(fxvgrmzoliujl2ucnfmvcbqk))/mileg.aspx?page=home)
- **LTC Insurance:** This will be tabled until the September meeting.
- **Workforce Recommendations:** Wilson echoed Mania's concern regarding the Governor's statement on health insurance for the home help workers. Head will check with the DCH Director's office.
- **State Budget Advocacy:** There is always a need for more advocacy. The letters from the Commission have already been sent. Farmer noted he will help with arranging local advocacy work, if necessary. Ablan indicated that her association was focusing their efforts on the Senate. There is the need to support new revenues. A representative from the Developmental Disabilities Council noted that there will be a rally on September 11, at the Capitol. Farmer will remeet with the Senior House Committee and focus on the revenues, as well. Allison questioned if the single points of entry have funding. Head noted that, technically, there is no funding for anything. But the Office will continue working as if there is.
- **Letters of Support:** The Office will provide a draft of the requested letters of support for the two new Real Choice Systems Change grants. Chaney made a motion that the Commission support these

grants and allow the Chair to submit the letters. Hoyle seconded. Motion passed by voice vote.

Gire also requested a letter of support for an AoA grant. This grant's focus is on nursing facility diversion for non-Medicaid consumers. There is no abstract yet. However, the grant is due before the next Commission meeting. McKinney made a motion that the Commission support this grant and allow the Chair to submit the letters. Hoyle seconded. Motion passed by voice vote.

Next Month's Agenda: There is no meeting for August. The September meeting may be scheduled in Detroit. See previous comment.

The Commission is pushing for a workgroup sign-up, especially for the Education Workgroup. Let the Chairs know. Allison will be sending an invitation letter soon. The first meeting for the Person-Centered Planning Workgroup is scheduled for August 14 or 15. There are 23 persons in the workgroup.

GETTING IT DONE

COMMISSIONER COMMENTS –

Gutos reminded the Commissioners that the CNN Democratic candidate debate was this evening at 7pm. September 23 is the Republican candidate debate. Also, there was a request to obtain a summary of the National Governor's Association conference. Gutos noted that the Michigan Director of the Department of Community Health made a presentation at this conference.

ADJOURNMENT - Motion to adjourn by Chaney, second by Turnham. Passed by voice vote.