

Long-Term Care Commission

November 27, 2006

Capitol View Building, Conference Rooms A, B & C

1:00 pm – 4:30 pm

MINUTES

COMMISSIONERS IN ATTENDANCE: Marsha Moers, RoAnne Chaney, Christine Chesny, Linda Ewing, Andrew Farmer, James Francis-Bohr, William Gutos, Dohn Hoyle, Sandra Kilde, William Mania, Yolanda McKinney, Hollis Turnham, Toni Wilson,

COMMISSIONERS ABSENT: Jon Reardon, Wendall Stone, Reverend Charles Williams II

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

HANDOUTS: Agenda, Minutes from October Meeting, Executive Committee Record of Discussion from October 30, Schedule of 2007 Commission Meetings, Discussion Proposal for LTCSS Commission Retreat, Copy of PowerPoint Presentation on the Charge to the Commission, Department of Human Services Organizational Chart, Draft Resolution for 2007 Budget, Draft Resolution for 2008 Budget, Copy of PowerPoint Presentation of Michigan's 2006 Real Choice Systems Transformation Grant, MIChoice Waiver List Quarterly Review, Notice of Official Medicare Event Re: Free Medicare Prescription Drug Enrollment Assistance, Public Testimony from Alison Hirschel, What's New? For Older Americans and Their Families, Michigan Office of Services to the Aging Summary of Services, Task Force Recommendation #9 Progress Report

CALL TO ORDER, WELCOME, INTRODUCTIONS, AND ANNOUNCEMENTS- The meeting was called to order at 1:20pm by the Chair. Members of the Commission, Ex Officio representatives, and the public introduced themselves.

APPROVAL OF AGENDA - The tentative agenda was presented. Motion to approve agenda by Chaney, second by Turnham. Amended agenda approved by voice vote.

APPROVAL OF MINUTES - Motion to approve by Hoyle, second by Ewing. No changes. The minutes were approved by voice vote.

EXECUTIVE COMMITTEE REPORT - Moers summarized discussion from the Executive Committee conference call on October 30th. The Executive Committee meets on a monthly basis. Notes from the meetings will be provided to the larger Commission for information purposes.

OLD BUSINESS

Discussion of February Retreat Design - The Commission received a discussion document prior to the meeting. Location is not yet determined. An informal vote determined a preference for holding the retreat on a Monday/Tuesday. An outside facilitator will be used. The goals of the retreat were discussed and broadened to include priority setting and determining how the Commission will conduct its ongoing work. The need to engage the public and stakeholders should be included under Goal B (Build a consensus set of activities to address two issues of concern or recommendations). Commissioners should contact a member of the Executive Committee (Moers, Chaney, Turnham, Chesny, Reardon) if they have suggestions on the

specific issues to be focused on. If necessary, the Office is willing to facilitate conference calls discussions prior to the retreat to assist Commissioners in understanding the issues.

Progress Reports will be used to prioritize activities. Draft Progress Reports need to be completed and submitted no later than January 14, 2007. (The Progress Report review teams are attached.)

PUBLIC COMMENT

Carolyn Lejuste - Olmstead Coalition - testified regarding the inadequate MIChoice reimbursement rate structure and the need to increase this reimbursement with the 2008 budget. Lejuste urged the Commission to provide a resolution to support a rate increase, both with the daily rate and in the overall budget. (testimony attached.)

Alison Hirschel - Campaign for Quality Care, Olmstead Coalition - urged the Commission to press for increased access to community care. Many of the Task Force recommendations cannot be implemented unless community options are available. In addition, Hirschel requested that the public needs to know how the Commission responds to the testimony provided by the public at their monthly meetings.

Linda Werda - Consumer - Werda testified to the importance of MI Choice in allowing her to continue residing in her rural home. This waiver means a great deal to her personally and has allowed her to care for others in her family, as well.

NEW BUSINESS

Focusing on LTC Resources and the Commission's charge - Maureen Sheahan of PHI facilitated a discussion of how various state departments are involved in long-term care. The ex officio representatives from DCH, DHS, OSA and the State LTC Ombudsman Office discussed their agencies' role in the provision of long term care. The session was facilitated by Maureen Sheahan of PHI. Commissioners were given an opportunity to ask questions and seek clarification. Clarifications included:

- For home help, the consumer is the employer of record, the provider is supervised by the consumer and Adult Services Worker.
- The Adult Services Worker, with input from family and friends, determines whether the consumer is capable of directing his/her own services. If not capable, the case is usually referred to the court for possible guardian appointment. This generated a discussion of guardianship.
- The quality of home help services is monitored by the consumer, Adult Services Worker, and in some instances, family/friends.
- Employment opportunities provided for persons on public assistance include Work First and JET (Jobs, Education, & Training). Many of the job opportunities are in the health care field.
- Office of Services to the Aging (OSA) deals with all elderly persons, not just Medicaid-eligible persons.

The ex officio member representing DLEG will provide an update at the next meeting.

Systems Transformation Grant Strategic Plan - Head reviewed the Systems Transformation Grant that Michigan was awarded in October. There is initial funding provided for a mandatory nine-month strategic planning process. The Centers for Medicare and Medicaid Services must

approve the strategic plan before allocating the balance of the funding. The Office is planning on a two-day retreat in February to work on this plan. The Commission will be asked to provide representatives to the four workgroups for this planning portion of the grant. (The workgroups are: single point of entry; self-determination; financing/rebalancing; evaluation.)

Commissioners should contact Mike Head (Head@michigan.gov) if they wish to be on a workgroup. Membership of these workgroups will be determined by mid-December.

Department Budget resolutions - Two draft budget resolutions were presented:

- Current budget - The Governor is expected to release an Executive Order in January that decreases FY 2007 appropriations. The Commission's resolution urges that there be no cuts in the long-term care budget line. The resolution needs to reflect current statistics. A motion was made by Hoyle to have the Executive Committee revise the resolution and send it to the Governor and DCH Director on behalf of the Commission. Kilde seconded. Motion passed by voice vote.
- 2008 Budget - A resolution was drafted to urge the Governor to 1) set long-term care as a priority in the 2008 funding, 2) increase the funding of the daily rate of the MIChoice waiver to adequately adjust for inflation over the last 20 years, and 3) increase overall funding of the MIChoice waiver to sufficiently cover the 3,400 person waiting list. Hoyle moved to allow the Executive Commission to submit this resolution. Chaney seconded. Discussion indicated the desire to include language to increase funding to address the waiting list as well as to meet growing demand. Motion was approved by voice vote.

It was noted that the appropriations process is an annual process and that this resolution will probably need to be addressed annually at this time of year. The Commission needs to advocate for, and educate on, increased long-term care funding.

There was discussion regarding the need for the Commission to draft an additional resolution regarding the need to make long-term care, including community-based options, a priority within the State.

Commissioner Comments

- Thank people for assistance with completing the Finance Progress Report
- Thank people for the retreat planning efforts
- We need to get the Commission to provide information to the public regarding nursing facilities that have been cited or fined for not meeting standards. The Commission should consider putting the names of these facilities in the newspapers
- There is a Part D enrollment assistance day at the Area Agency on Aging Association of Michigan (handout provided)
- The Commission needs to officially respond to public comment. A formal process needs to be developed
- Patrice Eller has left the Department of Human Services

Adjournment - Chesny motioned for adjournment, second by Kilde. Motion passed by voice vote.

Next meetings:

No meeting in December

January 22, 2007 - 1pm – 4:30pm, Capitol View Building, Conference Rooms A, B & C

MOTION	FIRST	SECOND	ACTION
Approval of Agenda	Chaney	Turnham	Passed
Approval of Minutes	Hoyle	Ewing	Passed
Allow the Executive Committee revise the proposed 2007 budget resolution to include appropriate statistics and send it to the Governor and DCH Director on behalf of the Commission.	Hoyle	Kilde	Passed
Allow the Executive Committee to revised the proposed resolution to urge the Governor to 1) set long-term care as a priority in the 2008 funding, 2) increase the funding of the daily rate of the MIChoice waiver to adequately adjust for inflation over the last 20 years, 3) increase overall funding of the MIChoice waiver to sufficiently cover the 3400 waiting list and to include language to increase the overall funding to meet the increasing demand and to add historical MIChoice statistics to the resolution.	Hoyle	Chaney	Passed
Adjournment	Chesny	Kilde	Passed

LONG-TERM CARE SUPPORTS AND SERVICES ADVISORY COMMISSION
LONG-TERM CARE TASK FORCE RECOMMENDATIONS
PROGRESS REVIEW TEAMS
SEPTEMBER 1, 2006

#1 - PERSON-CENTERED PLANNING

Leader - Dohn Hoyle, Andy Farmer
Members - Michael Head

#2 - MONEY FOLLOWS THE PERSON

Leader - Marsha Moers
Members - Mary Ablan

#3 - SINGLE POINT OF ENTRY

Leader - Andy Farmer
Members - Bill Mania, Mary Ablan, Patrice Eller, Wendall Stone

#4 - ARRAY OF SERVICES

Leader - Sharon Gire
Members - Sandi Kilde, Yolanda McKinney

#5 - PREVENTION

Leader - RoAnne Chaney
Members - Sherri King (OSA), Mary Ablan, Yolanda McKinney

#6 - CONSUMER PARTICIPATION AND EDUCATION

Leader - Toni Wilson
Members - Bill Gutos

#7 - QUALITY ASSURANCE

Leader - Sarah Slocum
Members - Jon Reardon, Toni Wilson

#8 - WORKFORCE

Leader - Hollis Turnham
Members - Andy Farmer, Linda Ewing, Wendall Stone, Vickie Enright

#9 - FINANCE

Leader - Chris Chesny
Members - Linda Ewing, James Francis-Bohr, Jon Reardon

Public Comment
Carolyn Lejuste, Olmstead Coalition
LTC Commission
November 27, 2006.

Good Afternoon. My name is Carolyn Lejuste, I am employed by the Michigan Disability Rights Coalition but I am here today in my role as the co-chair of the Olmstead Coalition, whose members represent professional and consumer advocates from both the disability and aging communities throughout the state.

Specifically, I am here to speak to the condition of the current rate structure of the MI-Choice Waiver and to urge this body to support an increase in those rates for the 2008 budget year.

Currently, the average rate for services delivered under the MiChoice Waiver is \$38 per day. In practice each waiver agent is given a budget based on that average rate. They may serve a person who has greater needs but then they will serve fewer people in the aggregate. The waiver agent receives an additional \$7/day for each participant they serve in the program. So, the more complex the need of their participants the fewer people they serve, therefore they face a reduction in their administrative budget.

For comparison, nursing homes are reimbursed at \$140 per day. \$38 per day will buy between 2 and 2.5 hours of services per day in a community setting. Remember, the level of care screen now used to evaluate the functional needs of MiChoice participants assures that everyone in the MiChoice program has needs that would qualify them for a nursing home.

\$38 per day is hugely inadequate to serve the needs of participants in the community who are evaluated at a nursing home level of care.

- The DCH Medicaid office compiled data from the most recent nursing home transition project identifies an average of between \$55 to \$60 of community support services for each person that moves from a nursing home into the community.
- Waiver agents report that it is becoming more difficult to find provider agencies who will assume responsibility to care for the needs of a person who has significant needs for \$38 per day.
- There is a structural disincentive for waiver agents to serve high need participants.
- Participants are inadequately served if waiver agents attempt to spread the few Mi-Choice funds they have to many people. In a recent meeting of the Quality Collaborative, a body of waiver agents and consumer representatives formed to establish uniform quality guidelines for the Mi-Choice program, a woman who cares for her grandmother who is 100 years old and has Alzheimer Disease spoke to her need for more service than their current two hours per day. In this example the MI-Choice program is not a community alternative to a nursing home but a poor example of a family respite program.
- \$38 per day should be \$60 per day!

I urge the Commission to support the resolution for a significant increase in the per diem rate to fund the MI-Choice program. Additionally I ask the commission to concurrently support a better system of reimbursement for the administrative costs of the waiver agents. A system that does not punish an organization that is committed to serving any person who qualifies for nursing home level of care who desires to remain in their own home and community.

A generous increase in the daily rate for services in the Mi-Choice program will offer people a choice, will assure better quality services, and will, in the long run, assist Michigan's budget office to efficiently manage the increasing demand for long-term care services.

Legislature

Thank you for a hearing my testimony. In regards to the advantages I have found on Medicaid Waiver

My name is Linda Wierda, and I have been diagnosed with multiple sclerosis since October, 1980. I have been wheelchair dependent, since approximately 1986 and have relied on Medicaid Waiver to assist me with my daily living . The waiver program has helped me purchase badly needed equipment such as my wheelchair, Hoyer lift, gloves, medical supplies etc.

I heard of the Medicaid Waiver Program through a friend of mine in approximately 1994, at that time HHA administered the program in Kent County. The nurse who signed me on to the waiver program helped start the program over by Detroit and was going from Kent County to the Big Rapids area to enlarge the Waiver Program. Along this journey, I have met people who have enriched my life, beyond all belief for they had seen me as a person.

Medicaid Waiver has meant I could have a life and exist as a person. It has meant I could stay at home with my family and friends. Medicaid Waiver has meant I was able to help my mother in the last years of her life. Medicaid Waiver has meant. I am able to stay in my home and help my husband, who has dementia. Thank you for your time.