

**Joint Legislative Committee on Aging in Place
in joint session with the Kupuna Caucus
Hawaii State Capitol, Room 229
Friday, July 10, 2009
DRAFT MINUTES**

Members Present: Senator Les Ihara, Jr. (Co-Chair); Representative Marilyn Lee (Co-Chair); Senator Suzanne Chun Oakland

Members Absent: Senator Rosalyn Baker, Senator Gordon Trimble, Representative Karen Awana, Representative Joey Manahan, Representative Corinne Ching

Others in Attendance: Alex Santiago (PHOCUSED), Ann Dankulich (AARP), Audrey Suga-Nakagawa, Barbara Gandre, Bonnie Osaki (Graham Builders), Bruce Bottorff (AARP), Candace Kelsey (House Minority Research Office), Cesey Ching (SHRM Hawaii), Coral Andrews (Healthcare Association of Hawaii), Craig Yamaguchi (Elderly Affairs Division), Deborah Miyasaka-Gushiken (State Council on Developmental Disabilities), Diane Terada (Catholic Charities Hawaii), E. Sebastian (Aloha Habilitation), Elaine Fujifu (Elderly Affairs Division), Elizabeth Bethea (DHS), Frances Nishioka (Occupational Therapy Association of Hawaii), Gary Simon (St. Francis Healthcare), Green Coconut Living LLC, Helen Wagner, Jackie Chong (Na Tutu), Jay Duquette, Joanne Kealoha (ILWU Local 142), Karen Iwamoto (Building Industry Association), Laura Manis (Kokua Council), Lucy Lessard (HAPTA), Malia Sommers (Ohana Health Plan), May Fujii Foo (Elderly Affairs Division), Noemi Pendleton (Executive Office on Aging), Pam Witty-Oakland (St. Francis Healthcare), Pat Urieff (Grandparents Raising Grandchildren Task Force Co-Chair), Patti Bazin (DOH), Patty Griffiths (Options for Elders), Peggy Torres, Ron Gallegos (Alliance of Care Home Administrators), Sister Agnelle Ching (St. Francis Healthcare), Sister William Marie Eleniki (St. Francis Healthcare), Stan Michaels, Stephen Chong (HHSC-Leahi), Stuart Ho (AARP), Ted Gallegos (Care Home Owner), TJ Davies (Kokua Council), Toni Hathaway (KCC Kupuna Ed Center), Toni Pedro (Aloha Angels Caregivers), Tony Lenzer, Vicki Philben Haakele, Wes Lum (University of Hawaii-Center on Aging), Heather Bolan (Senator Ihara's Office)

I. Call to Order/Welcome and Introductions

Senator Chun Oakland started introductions around the room at approximately 2:05 p.m. Senator Ihara arrived at 2:10 p.m. at which time the Joint Legislative Committee on Family Caregiving was formally convened. Rep. Lee arrived at 2:50 p.m.

The following handouts were distributed to the members and others in attendance:

- (1) copy of the Kupuna Caucus/JLCAIP agenda;
- (2) 4-page recap of the Grandparents Raising Grandchildren report to the legislature
- (3) draft of a resolution Requesting Housing Agencies to make exemptions for eligible seniors who unexpectedly become the sole or primary caregivers of their grandchildren-in-Crisis
- (4) Mount Shasta Union School District Caregiver's Authorization Affidavit
- (5) update on Program Initiatives from Hawaii Health Systems Corporation Oahu Region
- (6) report from Healthcare Association on licensure of home care agencies
- (7) testimony of Stan Michaels on senior fall prevention

- (8) Stay Healthy at Home portfolio by St. Francis Healthcare; and
- (9) draft of a bill Relating to a Silver Alert Program for missing senior citizens.

II. Kupuna Issues

a. Kupuna Care and Preservation of the Safety Net

The area aging agencies report severe shortfalls as the Governor has not released moneys appropriated by the Legislature for the past two years. An updated report was requested from the Executive Office on Aging for the next meeting based on the last quarterly reports submitted by the area agencies. It was clarified that waitlisted clients are those who have already been assessed as qualified to receive benefits, while pending clients are those who have not yet been assessed.

b. Health Aging Partnerships

The Health Aging Partnership has expanded from two to six sites. There are grants pending to help with costs.

c. Aging Disability Resource Center

Audrey Suga-Nakagawa reported that the Hilo physical plant, all originally first floor tenants are now in occupation. They hope to have the second floor ready by the end of the summer or early September. The Oahu virtual website is in the final test stage now. Two counties are still loading their data. They expect to go live in the fall – it will be announced. Hawaiiadrc.org will serve as a portal to access all four counties services which will be in similar formats. There will be a physical presentation to the Kupuna Caucus in the future. Federal grants totaling \$1.4 million became available to start a site on Maui and on Oahu's north shore at Kahuku Hospital. Other grants opportunities have arisen that will allow the work to continue.

d. Senior Centers

Lanakila and Moiliili will proceed with contracts – but at 1/3 of former funding levels so they will be looking at other sources of funding. Kapahulu is raising funds and expects to be okay for now as they have been mainly privately funded. The status of Waikiki was unknown.

e. Grandparents Raising Grandchildren

Pat Urieff pointed out that the Grandparents Raising Grandchildren task force raised awareness throughout local government so hopefully they will do better interfacing with this group. Grandparent concerns will be addressed in the next State Plan. The report omitted the missing opportunity by the Department of Public Safety to inform incoming parents (to be incarcerated) about notifying the Court regarding child support (that it needs to be suspended during the incarceration as there will be no income) at intake; also there needs to be more done prior to release to assist these parents to reconnect with their children without disrupting the Ohana home.

Jackie Chong of Na Tutu reported that there were problems with the implementation of caregivers' consent forms for education and health. Some schools had misinformation about the process and the forms (insisting that a power of attorney is required) resulting in problems. The Attorney General has corrected this misinformation. Currently there are multiple forms required and some personal questions can be intimidating (eg: whether parent is incarcerated). A sample combined form from California was distributed. Senator Chun Oakland requested that the Attorney General review the unified form.

f. Website Posting of Care Settings

No one was available to provide a report.

g. Home for Life Task Force

Tony Lenzer reported that the informal workgroup looked at eliminating barriers for disabled to continue to live at home, creating more opportunities for multi-generational family living, and increasing the use of Universal Design in new and modified homes. SCR7 was passed to create an official Task Force.

Appointments to the Task Force are pending. In the meantime, Bonnie Osaki reported that the informal group is in process of attempting to quantify contractors/builders/and design professionals interested in barrier-free design and multi-generational living. The Building Industry Association will be distributing a 10-15 minute survey to members via the web this week. They may also survey some homeowners at upcoming January BIA expo and disability access events.

Senator Ihara reported that all groups identified in the Task Force resolution were responsive to initial inquiries on suggested participants except for the counties.

Helen Wagner reported that Grandparent caregivers getting eviction notices were due to federal rules, and the Department of Housing and Urban Development said that they can build intergenerational sections where there is a need - even for transitional housing, but Hawaii's needs are so large in this area that private development will be needed.

A representative from the American Occupational Therapists Association requested a seat on the Task Force. Contact information was provided to the informal workgroup persons present. After the Task Force is convened, other interested parties not named in the resolution will be welcome to participate.

h. Paid Family Leave

This bill is on the Governor's intent to veto and it is on the Senate's override list. It was suggested that interested parties ask the Governor not to veto the bill.

i. Funeral Trusts

The Funeral Consumers Alliance, which has been the lead organization, has only two members left so is not active. One of the issues is consumer protection. The Department of Commerce and Consumer Affairs has no staff to oversee consumer trust accounts for funeral services. Some industry lobbyists have successfully prevented instituting a fee that would pay for staff to do audits of trust fund accounts.

Recently there have been problems with certain companies abusing trust funds so this does need looking at. The AARP will be meeting to set their new list of priorities soon and this issue could be considered.

j. Long Term Care Commission

Stuart Ho reported that although Act 224 of 2008 created the Commission but there is no funding available, so the Commission met and decided to raise the money privately. A workplan and budget have been adopted. They are halfway to their goal of \$400,000. They will continue fundraising and working towards completing their work, but it will be impossible to meet the deadlines of Act 224. Where do we stand now and where do we go, and how do we get there is what the Commission is addressing as far as Long Term Care is concerned. An RFP will be published July 20 in national publications and they hope to select a contractor to do the where we stand now study in mid-August. The commission meets monthly.

k. Center on Aging at the University of Hawaii

Wes Lum reported that Dr. Colette Brown was not present but will be the new Director part-time starting

in mid-August. She is looking for a part-time partner to focus on grant writing. The hope is to become self-sustaining within two years. They received \$200,000 startup monies from a \$2 million Barbara Cox Anthony endowment.

l. Leahi Hospital Master Plan

Stephen Chong distributed a written report. They are continuing to seek collaborative opportunities and partnerships with other agencies and community services.

m. Certified Nurses Aide Continuing Education

Hawaii is one of the few states accommodating nurse professionals in the home. There is a need for continued education for best possible care, balanced with not too restrictive requirements. Molokai has a good system but certification is not easy. Representative Lee will help coordinate. There are three categories: those in nursing homes and hospitals, those in foster and care homes, and those with no license or supervision – just helping at neighbors. It was agreed recently that the rules for expanded ARCHs add 24 hours of continuing education every two years and competency evaluations, and 100 hours to recertify every two years. The future may allow webinars and other technology to fulfill some of the requirements. There are still grant opportunities to reach underserved communities using technology to improve the quality of care. The University of Hawaii Disability Center can assist with grant writing for aging and disability issues.

n. Home Care Agency Licensing

This bill is on the Governor's intent to veto list. This bill is essential for minimum consumer protection in Hawaii as growth in this area exceeds national levels and Hawaii only requires a general excise tax license to start a home care business. The bill mandates criminal and disease checks as well as minimum competency levels.

o. Adequate Medicaid Reimbursements

Money was not available to keep the 80% reimbursement rate so it was dropped to 60% on July 1. This may mean more providers may be hesitant to take on medicaid patients. It is too soon to judge actual impact but the phone's have been ringing with community concerns.

p. St. Francis Staying Healthy at Home

St. Francis has served healthcare needs of the Hawaii community since 1883. They hope to continue but are going through some changes such as dropping acute care and selling some of their physical sites, and are looking to provide some senior housing as well as continue basic services such as inpatient, home hospice care, and bathing services through collaborative means with the county and state agencies. They have a new "Stay Healthy at Home" program that is a one-stop-shop centralization of services (similar to a concierge service based on the Beacon Hill business model) for seniors and mainly caregivers balancing their own jobs. They are starting on Oahu and hope to expand soon to Kauai, eventually hoping to go statewide. They will make a full presentation of the program at the July 15 meeting of the Policy Advisory Board for Elder Affairs. A portfolio of information was distributed.

q. Quest Expanded

40,000 registered clients have been dealing with the transition and are starting to settle. Complaints have diminished. Many of the complaints were due to services that were previously provided but should not have been under federal rules. Currently case management is only provided for covered services. They

hope to begin to move towards helping more people stay at home longer and out of nursing facilities.

r. Fall Prevention

The Department of Health, area aging agencies, and private partners have been working on fall awareness programs. They hope to participate in a Federal Fall Day, link with senior fairs, and provide screening and education. Long's Drugs will serve as a statewide call center. Pharmacists will review senior medications to assist in reducing medication interaction conflicts. The Honolulu Elderly Affairs Division will be producing an informational brochure. The Salvation Army Daycare center will run a pilot program: doing a survey and screening with referrals to physicians. A physical therapist run a training program and a Tai Chi master will also provide balance training for at-risk seniors. A future Kupuna Caucus will invite a guest instructor to teach the routine. A Task Force is needed on this issue as the State is spending thousands of dollars in preventable medical bills.

s. How to Start Up a Home Care Business

There is no guidebook for applicants currently. Hawaii Administrative Rules section 100 and 100.1 can be used but are hard to follow. A one page summary on the Office of Healthcare's website has the minimum requirements. The supervisor will try to attend the next meeting. New York has a good model with information available online.

t. Universal Health

This bill is on the Governor's intent to veto list. Persons interested in serving on a commission may contact Senator Chun Oakland.

u. Silver Alert System for Missing Seniors

A draft bill was distributed. A comment was made that this should cover anyone with a mental capacity regardless of age. A bill priority list will be worked on in November/December and Rep. Thielen who drafted this bill wanted the Caucus to be aware of it in case they wanted to include it in the 2010 package.

III. Adjournment

Next meeting: August 7 at 2:00 p.m.

The meeting was adjourned at approximately 4:10 p.m.