

## **MINUTES**

Name of Organization: Nevada Commission on Aging  
(Nevada Revised Statute [NRS] 427A.034)

Date and Time of Meeting: December 11, 2008  
9:30 a.m. – 2:00 p.m.

Place of Meeting: Division for Aging Services - Las Vegas Office  
1860 E. Sahara Avenue  
Las Vegas, NV 89104  
(702) 486-3545

### **I. Call to Order/Roll Call**

Carol Sala, Administrator

Ms. Sala called the meeting to order at 9:40 a.m.

Present: Andrea Anderson, Larry Curley, Chris Giunchigliani, Dan Gustin, Carl Martinez, Assemblywoman Kathy McClain, Marlene Rengert, Carol Sala, Philip Shapiro, Craig Warner, Senator Valerie Wiener, Mike Willden.

Excused Members: Bob Larkin, Pete Livermore, Upinder Singh.

Guests: Linda Anderson, Tina Gerber-Winn, Bobby Gordon, Dale Ann Luzzi, Susan Rhodes, Mary Shope.

A quorum was present.

### **II. Approval of the Minutes from the September 10, 2008 Meeting\***

Ms. Giunchigliani made a motion to approve the minutes as written. Mr. Warner seconded the motion. The motion passed. The minutes were approved as written.

**III. Welcoming Remarks**

Carol Sala, Administrator

Ms. Sala made note that the next meeting which will be scheduled during the 2009 session will probably be a video conference. Mr. Willden informed the committee that the DETR building on St. Louis has a great conferencing center and that the DHHS building is also equipped to do video conferencing.

**IV. Recognition of Outgoing Commissioner**

Carol Sala, Administrator

Ms. Sala presented outgoing Commissioner Larry Curley with a Certificate of Appreciation signed by Governor Gibbons, thanking him for the two terms of service on the Commission on Aging (COA). Ms. Sala did remind Mr. Curley that he could continue to serve on committees for COA.

**V. Administrator's Report**

Carol Sala, Administrator

Ms. Sala made available to the Commission members a handout provided by National Association of State Units on Aging (NASUA) entitled "*The Economic Crisis and Its Impact on State Aging Programs*" which was the results of an all-state survey conducted in November 2008 at the request of the National Governor's Association for President-elect Obama's transition team. The information was then taken to the National Governor's Association in Philadelphia last week. The key points Ms. Sala wanted to highlight were that Nevada isn't alone with the significant financial crisis and looking at how we do business in order to meet the needs of seniors. Looking at how Medicaid waivers are being affected with the economic crisis and going one step further, the federal government is talking about changing the FMAP which is the federal match participation that states get. Nevada went to 50-50 last year which created a big hole in Medicaid's budget. DAS is an integral part of Medicaid's budget. All DAS waiver funds are in Medicaid's budget so when they cut their budget DAS is impacted. People are realizing how dire the economic situation is in our state and in the nation.

The next issue Ms. Sala updated the Commissioners on was DAS's Ombudsmen program, also known as the Elder Rights Advocates program. Last January DAS received an edict from Centers for Medicare and Medicare Services (CMS) stating that DAS could no longer claim administrative costs from Medicaid for ombudsmen services. So far, the division has responded three times to CMS by letter stating the case for the need to claim administrative costs. In CMS's last response they basically said "no, you can't do this anymore." This has had a huge impact on the unit. Ms. Sala directed the Commissioners to their meeting

packet under the Elder Rights unit tab, page two, to show them the actual impact of the CMS decision. Director Willden stated that he had received a request from Governor Gibbon's Washington D.C. office for Senator Obama's transition team, asking what federal regulations are in place right now that if they could be changed quickly, could help states. Ms. Sala informed Mr. Willden that this would be on her list. A question was asked what effect this would have on how the unit operates. Ms. Sala said that from this decision DAS has redefined the duties of the Ombudsmen. The Ombudsmen are no longer investigating elder abuse, neglect, exploitation or isolation in nursing homes. This duty is now performed by the Elder Protective Services unit. The Ombudsmen are going back to the pure definition of their job as defined in the Older Americans Act (OAA), which is advocacy, complaint resolution and residents rights. In doing this we have also redefined case vs. activities. Ms. Sala did note that this has increased the case loads of the Elder Protective Services social workers. Commissioner Curley informed the group that there is a new provision in the Indian Health Care Act for long-term care and the need for nursing home care for the elder Native American population.

*DTV update* - NASUA has been in contact with the Department of Commerce (DoC) for the last two years asking if DoC needed help in reaching seniors regarding the DTV transition that is scheduled to take place in February of 2009. Until last week DoC said no, but now they need help. They need to reach out to the rural states that don't have Area Agencies on Aging, which includes Nevada. DAS agreed to be the pass through agency for a \$25,000 grant. The main goal is to get the coupons to the senior's, get convertor box and get the box hooked up.

- *State Plan for October 1, 2008 – September 30, 2012 Approval* - The plan was approved. The approved plan is posted on the DAS website. Ms. Sala also noted that the division received very positive comments in the approval letter from Administration on Aging (AoA).
- *Announcement of Award for Administration on Aging (AoA) Alzheimer's Grant* – The division had applied for three federal grants and received notification that one will be funded for \$100,000 for 18 months. DAS also received good feedback so when they reapply they will have a better chance of getting funded.
- *Update on Senior Tax Assistance and Rent Rebate (STARR) Program Reduced Checks* – Ms. Sala went before the Interim Finance Committee (IFC) on November 20, 2008. Ms. Sala thanked Mike Willden for accompanying her to the meeting. After much discussion from IFC it was decided to reduce the average check from \$344 to \$300. This reduction enabled the division to meet its General Fund budget reduction requirements for FY09.
- *Update on AoA/n4a Project 2020 Proposal* – Ms. Sala provided the commissioners with the "talking points" from the Project 2020 proposal. The main goals of Project 2020 are: enhance the Older Americans Act by stressing single point of entry and embedding ADRC; move forward with evidence based disease management health promotion; and nursing home diversion. Ms. Sala invited all the commissioners to visit the redesigned NASUA website ([www.NASUA.org](http://www.NASUA.org)) to see the complete Project 2020. Mr. Warner asked if

Project 2020 addressed senior companion issues. Ms. Sala said it didn't address senior companions specify but it talks about other ways we need to integrate and look at the whole continuum of services.

- Ms. Sala and Ms. Gerber-Winn attended a break out session at the Community Based Care conference that was held after the NASUA conference. They both came away from the session thinking the Division needs to change how DAS does business. Craig Warner asked how the Division receives funding from AoA. Ms. Sala explained that AoA uses a formula of senior population growth in relation to total population growth. In 2006, when the OAA was reauthorized there was discussion about changing the funding formula since some states that were losing senior population were still getting the same amount of funding. Nothing has changed yet.

- *Update on the Division for Aging Services Proposed Budget for the 2009 – 2011 Biennium*

The budget was submitted on August 31. It is on the Division's website. The budget has since been rebuilt reflecting the 4% FMAP change. Four hundred million dollars have been pulled out of the Nevada economy in the last 10 months.

#### **VI. Overview of the General Fund Grants for Rural Communities (Hold Harmless Funding)**

Carol Sala, Administrator

Ms. Sala provided the Commissioners with a brief background on what is known as the "hold harmless funding" which is strictly General Fund. This funding source was created several sessions ago to make the rural senior centers whole. The division uses this \$666,000 hold harmless money along with supplemental federal funds from OAA to grant to rural providers. Ms. Sala provided the Commissioners with a county - by - county break down of where the funds go. The amount a senior center receives in funding is based on the numbers served and performance. Every two years when the division makes their funding decisions it is based on performance and numbers served. This funding is key to being able to provide services to the seniors. Commissioner Anderson asked why the rural southern Nevada senior centers didn't receive any of this funding. Marilyn Wills will research this and brings the answer back to the next COA meeting.

#### **VII. Update on the Bill Draft Requests for the 2009 Session**

Carol Sala, Administrator

Ms. Sala provided the Commissioners with a handout that was prepared by Sally Ramm, who is the division's legislative liaison for the 2009 session. The handout contained the bill drafted request (BDR) that are of interested to the agency. Ms.

Ramm will continue to monitor the BDR's as they turn into bills throughout the session.

**VIII. Discussion and Possible Deliberation on Moving Forward with the Statewide Conference on Aging\***

Phil Shapiro, Commission on Aging Member

Mr. Shapiro showed two video clips that related to seniors living independently. He said that identifying and educating caregivers should be the main topic of the conference. He would like to mail a postcard out in the next several weeks that would announce the conference. Mr. Shapiro said that 100 people would be hand selected from a broad base of providers. The conference would be held on the last day of the Aging in American conference in March. Commissioner Rengert made a motion that COA continues to move forward with the statewide Conference on Aging. Commissioner Curley seconded the motion. The motion passed.

**IX. Update from the Legislative Subcommittee and Discussion of Possible Legislation for the 2009 Legislative Session. Discussion and possible action on the Commission on Aging subcommittees identified priorities that should be addressed in the upcoming legislative session with respect to services for older persons within the State of Nevada. Priorities considered may include but will not be limited to such issues as transportation, guardianship, medical care, and mental health services for persons over 60 years of age. Recommendations may include but not be limited to evaluating proposed legislation, determining whether to support proposed legislation, designating a spokesperson to testify before the legislature, sending letters to legislators, and/or making recommendations to the legislature. \***

Carl Martinez, Commission on Aging Member

Mr. Martinez said that the subcommittee had identified at least four BDRs (*BDR-97, BDR-98, BDR-99 and BDR-126*) that they will monitor and testify on during session. The committee will continue to identify BDRs and bills as they become available. Mr. Martinez said Ms. Ramm is going to develop a template of letters that can be sent out from the COA members. Senator Wiener suggested that any letter that is sent out should be followed up with a face to face meeting to further advocate.

**X. Update from the Subcommittee on Tribal Issues**

Marilyn Wills, Deputy Administrator, Division for Aging Services

Larry Curley reported on behalf of the subcommittee. He said the subcommittee has not had a quorum for their last several meetings and that they are actively recruiting new members. They are continuing to work on tribal involvement in

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DAS programs. The Division has held several meetings to assist the tribes in applying for funds.

**XI. Agenda Items for Next Meeting\***

- Legislation
- Budget Update
- Update from Subcommittee on Tribal Issues
- Update from Legislative Subcommittee
- Update from Subcommittee on the Aging Conference

**XII. Schedule Next Meeting\***

Ms. Luzzi will poll the committee as to the best date at the beginning of March for a video conference meeting.

**XIII. Public Comment** (No action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item.)

There was no public comment.

**XIV. Adjournment\***

Ms. Sala adjourned the meeting.

\* Denotes items on which action may be taken.  
NOTE: Items may be considered out of order.