

LONG TERM CARE (LTC) ADVISORY COMMITTEE MEETING

May 17, 2013

Office of the Long Term Care Ombudsman (LTCO)

3855 Wolverine NE, Suite 6

(Training Room)

Salem, Oregon

MINUTES

MEMBERS PRESENT:

Bill Bard, Chair
Claudia Kyle, Vice Chair
Teena Ainslie
Glenn Berk
Dan Dunham
*Michele Edwards
*Peter Fuchs

STAFF PRESENT:

Mary Jaeger, Director/State LTC Ombudsman
Ann Fade, Deputy State LTC Ombudsman/Manager Agency Training
Molly Twarog, Deputy State LTC Ombudsman
Mary Ann Lebold, Office Manager

MEMBERS ABSENT:

None

LTCO VOLUNTEERS PRESENT:

Linda Setchfield, Certified Ombudsman
*Jerry Walker, Volunteer CFO

GUESTS:

May Dasch, Alzheimer's Network of Oregon
Twyla Lawson, Senior Human Resources Consultant, Chief Human Resources Office,
Department of Administrative Services
Meghan Moyer, Senior Political Organizer, SEIU Local 503
Fred Steele, JD OAA, Legal Services Developer, State Unit on Aging,
Department of Human Services (DHS)
*The Honorable Elizabeth Welch, Chair, Joint Interim Task Force on
Public Guardian and Conservator

CALL TO ORDER: Mr. Bard called the meeting to order.

PUBLIC COMMENT: There was no public comment.

APPROVAL OF MINUTES: Teena Ainslie moved that the minutes of the April 19, 2013 meeting be approved. The motion was seconded and passed.

Mr. Bard asked Vice Chair Claudia Kyle to conduct the meeting.

RELATED ACTIVITIES: Ms. Kyle attended the morning portion of the Governor's Commission of Senior Services (GCSS) meeting on May 15, 2013. She updated GCSS members on the issues that this Committee is working on and major legislative issues that this Committee is following. GCSS members are concerned that, if SB 626 (DD and MH Ombudsman) and

*Participated via telephone

HB 2671 (Public Guardian and Conservator) become law, adequate funding must be provided for the LTCO to meet the requirements of these two measures. GCSS members expressed their appreciation of the work that the LTCO staff and volunteers do in licensed long-term care facilities.

Mary Jaeger noted that information about the fiscal impact of SB 626 and HB 2671 is available at the Legislative Assembly's website, <http://www.leg.state.or.us>. Mary Jaeger and Jerry Walker attended the Joint Ways and Means Subcommittee on Human Services hearing for SB 626 earlier this week. When asked whether the LTCO could take on the work of SB 626, Ms. Jaeger responded that the LTCO strongly believes that the additional populations need advocacy services. However, adequate funding needs to be provided to start these very necessary activities and it will be important to have the support and input of stakeholders, the Legislature and the community. There was discussion about how the LTCO and this Committee would ramp up to perform the additional advocacies.

Ms. Kyle reported that Duke Shepard, Labor and Human Services Policy Advisor to the Governor, was at the GCSS meeting. Mr. Shepard suggested that GCSS members should not focus exclusively on long-term care but should think more broadly about services for seniors such as transportation, diversity and equity, and training of caregivers. The GCSS has already established workgroups to address these issues. Jeff Scroggin, Senior Policy Advisor with the Oregon Health Authority, spoke about a study group required by a Centers for Medicare and Medicaid Services mandate that will examine how long-term care will be integrated into the Coordinated Care Organizations in Oregon. Ms. Jaeger explained that the State of Oregon is applying for another waiver and described the details.

Mr. Dunham suggested that we consistently use the term "Ombudsman" and avoid using words like "Ombudsperson" and "Ombudswoman" to be consistent with the Older Americans Act language.

Mr. Bard spoke about Representative Dennis Richardson's recent newsletter addressing the needs of seniors noting that the newsletter had no mention of the LTCO. Mr. Bard asked Glenn Berk to contact the Representative's office to pass on information about the LTCO.

Mr. Bard also reported that a free Lesbian, Gay, Bisexual and Transgender (LGBT) training is being offered in Medford and Portland on cultural sensitivity and issues facing elder LGBT people such as access to services and facilities. A copy of the announcement is attached.

Ms. Jaeger reported on a May 8 informational session requested by Representative Carolyn Tomei, Chair of the House Committee on Human Services and Housing, on long-term care. Ms. Jaeger thanked Dan Dunham for his participation and fielding questions using actual examples of his experiences in LTC facilities.

Mr. Bard will be on leave for at least two months beginning in late June to address medical issues.

CORRESPONDENCE: The Committee sent a letter to Senator Betsy Johnson wishing her a speedy recovery. A letter was sent to Judy Strand, Chair of the GCSS, thanking the GCSS for its letter of support for the LTCO 2013-2015 budget bill. The Committee received a letter from Representatives Gilliam and Hoyle expressing their appreciation of Mary Jaeger's participation in and the Committee's support of the Elder Abuse Work Group. A copy of the letter is attached.

REAPPOINTMENT OF STATE LTC OMBUDSMAN: Mr. Bard reminded the Committee that one of its statutory responsibilities is to advise the Governor on the appointment of the State Long Term Care Ombudsman. A draft letter recommending reappointment of Mary Jaeger as the State LTC Ombudsman had been provided to Committee Members. Twyla Lawson, Senior Human Resources Consultant with the Department of Administrative Services, introduced herself and offered to answer questions from the Committee.

Ms. Lawson explained that, should SB 626 become law, Ms. Jaeger's position would be re-evaluated to make certain that her position is classified at the correct level following evaluation and updating of the Position Description document for Ms. Jaeger's position. Ms. Jaeger's reappointment would be effective August 29, 2013 with Senate approval in September 2013.

Mr. Dunham moved that the letter with the suggested edits be submitted to the Governor's office. The motion was seconded and unanimously approved. The letter, as submitted to the Governor's office, is attached.

JERRY WALKER, LTCO VOLUNTEER FINANCE COMMITTEE: Ms. Kyle asked Mr. Walker to provide a budget update. The May revenue forecast shows a \$279 million increase in state revenues. As predicted in February, the LTCO will modestly underspend its 2011-2013 budget illustrating agency staff's careful attention to expense control.

Mr. Walker elaborated on his and Ms. Jaeger's participation in the recent Joint Ways and Means Subcommittee on Human Services hearing on SB 626. He expects that he and Ms. Jaeger will testify next week in support of the LTCO 2013-2015 budget in front of the Joint Ways and Means Subcommittee on Human Services. A detailed Fiscal Impact Statement has been submitted regarding HB 2671. Every aspects of the state's funding is still pending. Mr. Walker expressed his appreciation of Mary Ann Lebold's assistance with LTCO budget support efforts and fiscal impact statements.

FRED STEELE, JD OAA, LEGAL SERVICES DEVELOPER, STATE UNIT ON AGING, DEPARTMENT OF HUMAN SERVICES: Mr. Steele updated Committee members on preparation of Oregon's State Plan on Aging which is required by the Administration for Community Living (formerly the Administration on Aging) under the Older American's Act. The plan secures federal funding for much of the state's efforts on behalf of Oregon's older citizens. He expects to have the draft plan available for comment by stakeholders within two weeks using a survey tool. The final draft is due to the Administration for Community Living by July 1. Mr. Steele thanked LTCO for its participation in preparing the plan.

Mr. Steele was asked to comment on the reauthorization of the Older Americans Act. He anticipates that the national congressional delegation will respond to the Older Americans Act funding in the same way it did two years ago. Sequestration continues to reduce funding for the programs that are part of the Older Americans Act.

THE HONORABLE ELIZABETH WELCH, CHAIR, JOINT INTERIM TASK FORCE ON PUBLIC GUARDIAN AND CONSERVATOR:

Judge Welch introduced herself and described her service as Chief Probate Judge on the Multnomah County Circuit Court. While fulfilling the requirement that, as a retired judge, she work 45 days each year in courts around the State, she has become aware of the urgent need to establish a statewide Public Guardian and Conservator Program. She described, from a judicial point of view, the problems that come up when there is no public guardian program in place. She spoke to the Committee about the important role of Court Visitors, what a Certified Ombudsman might do when assisting a respondent who is not satisfied with the individual appointed as their guardian, and the areas that must be addressed to improve State programs for protecting individuals under guardianships and conservatorships. Judge Welch hopes that HB 2671 will pass and create a statewide Public Guardian and Conservator Program. She believes that if there were data available showing the cost to the community of *not* having a program in place, it would be easier to convince legislators to support creation of the program.

In closing, Judge Welch asked that she have an opportunity to work with the LTCO on the role of the Certified Ombudsmen volunteers in guardianships. Mr. Bard hopes to have Judge Welch as a guest at a Committee meeting in the near future.

MEGHAN MOYER, SENIOR POLITICAL ORGANIZER, SEIU LOCAL 503: Both because SB 626 has broad support from the Governor's office and legislators and Oregon's recent revenue forecast is positive, Ms. Moyer is cautiously optimistic that the bill will pass. There was discussion about the unique situations Ombudsmen would be asked to address in residential settings for people with developmental disabilities and those with mental illness and how training for Ombudsmen would differ from the training currently provided to Certified LTC Ombudsmen.

ANN FADE, DEPUTY STATE LTC OMBUDSMAN/MANAGER AGENCY TRAINING:

Ms. Fade supervises Certified Volunteer Ombudsmen (CO) in Lane County, a relatively large county with both urban and remote rural areas. In Lane County, there are 15 active COs, several promising recruits currently in training and a very active Recruitment and Screening Committee that sponsors volunteer recognition events that include informative speakers. Ms. Fade gave special recognition to Diane Bishop who stands out as both an effective Ombudsman and a vital member of the County's Recruitment and Screening Committee. Ms. Fade described the number and types of facilities in the County and some of the more interesting cases being handled by the district COs. She also reported on a complicated change in ownership and management at one area facility.

To date in 2013, Certified Ombudsman training has been completed in Salem, the Portland metro area, Medford and Bend. Training is now in process in Eugene. Trainings planned for Salem and the Portland area in June will go forward depending on the number of trainees that commit to participating.

MARY JAEGER, STATE LTC OMBUDSMAN: Ms. Jaeger is pleased to announce that David Berger has accepted the LTCO's offer to be employed as a Deputy State LTC Ombudsman (Deputy).

Ms. Jaeger asked for Committee Member input on how best to deploy Deputy leadership around the state. Ms. Jaeger is considering establishing the Deputy on telephone duty (DOD) as a "district" and assigning one deputy permanently to this district. If this change were put in place, Certified Ombudsman training would no longer be handled statewide by one Deputy, but would be conducted by each Deputy within his or her own district.

The Committee's next meeting will be June 21 via teleconference. The meeting was adjourned at approximately 1:30 PM.

THE GENERATION THAT FOUGHT HARDEST TO COME OUT IS GOING BACK IN TO SURVIVE.

Gen Silent

Thursday, May 23

1:00 to 4:00pm

Smullin Center

2825 E. Barnett Rd.

Medford, OR



A Training: Improving Access and Quality of Care in the Long Term Care system for Gay Older Adults

Featuring the widely-used documentary, “Gen Silent,” that shows the unique
challenges of aging in the gay community.

Trainers:

PAUL IARROBINO

Program Supervisor

Multnomah County Aging and

Disability Services

WENDY HILLMAN, M.S.W.

Program Supervisor

Multnomah County Adult

Protective Services

Continuing Education Units (CEUs) available. This workshop is FREE.

Register online: www.gensilentmedford.eventbright.com



Sponsored by:



Free Showing

Gen Silent

Award-winning film by Stu Maddux that shows the unique challenges of aging in the gay community.



Thursday, May 23
7:00 to 8:30pm
Showing followed by Q&A

Smullin Center
2825 E. Barnett Rd.
Medford, OR



THE GENERATION THAT FOUGHT HARDEST TO COME OUT
IS GOING BACK IN TO SURVIVE.

Sponsored by:





**HOUSE OF REPRESENTATIVES
900 COURT ST NE
SALEM, OREGON 97301**

Mr. Bill Bard, Chair
Long Term Care Advisory Committee
3855 Woilverine NE, Suite 6
Salem, OR 97305-1251

April 16, 2013

Mr. Bard,

We wanted to take a moment to express our sincere appreciation for your 'loaning' of Mary Jaeger to serve and participate on our Elder Abuse Work Group. Her insight, guidance and counsel are invaluable and we believe her constant positive support and passion for Oregon's seniors among the reasons we continue to see success with our work-group's legislation. From the Governor signing HB 4084 last year, to our unanimous passage of HB 2205 out of the House Human Services Committee this past week, Mary's support continues to play an integral role in our public policy's drafting and adoption stage.

Together we are making a difference in the lives of Oregon's seniors.

Thank you and all your volunteers for all the work you do every day. We look forward to continuing to partner alongside your commission. Please let us know if we can ever be of assistance.

Respectfully,

Vic Gilliam
House District 18

Val Hoyle
House District 14

May 17, 2013

The Honorable John Kitzhaber, MD
Governor
State Capitol, Room 254
900 Court Street NE
Salem, OR 97301-4047

Re: Reappointment of Mary Jaeger, State Long-Term Care Ombudsman

Dear Governor Kitzhaber:

The Long-Term Care Advisory Committee is charged with the responsibility and privilege to monitor the Office of the Long-Term Care Ombudsman. With a unanimous motion passed in our May 17, 2013 meeting we request that you reappoint Ms. Jaeger to another term of service.

Ms. Jaeger's first term started with an agency that was in crisis and in need of new direction and leadership. She took on those challenges with much vigor and very quickly developed staff, re-energized volunteer recruitment, and forged significant working relationships both within and outside of state government.

Volunteer roles were expanded to allow professional experience and skills to be used to meet otherwise unattainable enhancements to the administrative elements of the agency's operation. Some examples are electronic case reporting for volunteers, extraordinary assistance in developing and reporting on agency budgets, and encouraging active volunteer Ombudsman to join our Advisory Committee. Currently 6 out of 7 seats from those ranks have been put in place on the Committee on her watch. In addition, the program received the 2011 Governor's Award as Outstanding Statewide Volunteer Program.

Ms. Jaeger's thoughtful and much needed outreach to the Legislature has provided members a clearer understanding of the accomplishments of this small, efficient agency and its cadre of citizen volunteers. Ms. Jaeger has served on many panels, work groups, and task forces all working to create better quality of care and protect the rights of the 43,000 seniors and people with disabilities in long-term care.

The Committee is proud to endorse Mary Jaeger's reappointment as State Long-Term Care Ombudsman to continue the performance excellence and creative innovations she has achieved for another four years.

Most Sincerely,



Bill Bard, Chair

mal

cc: Committee Members

The Long-Term Care Advisory Committee monitors the Long-Term Care Ombudsman program and advises the Governor and the Legislature pursuant to ORS 441.137-147. Three members are appointed by the Governor and four by legislative leadership.



Long-Term Care Advisory Committee

Bill Bard, Chair
Portland
Claudia Kyle, Vice Chair
Salem
Teena Ainslie
Portland
Glenn Berk
Ashland
Dan Dunham
Corvallis
Michele Edwards
Baker City
Peter Fuchs
Black Butte Ranch



3855 Wolverine NE, Suite 6
Salem, OR 97305-1251
(503) 378-6533
1-800-522-2602
FAX: (503) 373-0852