



Detroit  
Long  
Term  
Care  
System  
Change  
Task  
Force



## Meeting Minutes

### Detroit Long Term Care System Change Task Force Legislation & Regulations Subcommittee Meeting Minutes

**Date:** Wednesday, December 10, 2008

**Time:** 10:00 a.m.

**Place:** Detroit Area Agency on Aging  
Hildred Drew Dale Conference Center  
1333 Brewery Park Boulevard, 1<sup>st</sup> Floor  
Detroit, MI 48207

#### MEMBERS PRESENT

Eric Foster, Co-Chair  
Tom Rau  
Wanda Bailey Jenkins  
David Stobb  
Brenda Sowash  
Kendra Howard

#### MEMBERS EXCUSED

Mildred Madison

#### MEMBERS ABSENT

Bob Allison  
Patricia Anderson  
Faiz Esshaki  
Jerry Gumbleton, Co-Chair  
Beverly Hamlar  
Ronald Hewitt  
Avis Holmes  
Marilyn Lawson  
Martha Little  
Melissa Samuel  
Laurie Solotorow  
Dorothy Stone Montgomery  
Margie Young

#### GUESTS

Kirk Glezen, Citizens for Better Care

#### STAFF

Gloria Hicks Long  
Karen Watson

#### RECORDER

Leah Pippen

#### I. CALL TO ORDER/ WELCOME & INTRODUCTIONS

Eric Foster called the meeting to order at 10:15 a.m. Mr. Foster asked all members to introduce themselves.

#### II. CO-CHAIR REMARKS

Mr. Foster announced that one of our fellow subcommittee members, Ms. Bernice Morrison has passed away. He also asked that everyone pray for her family. He stated that this unfortunate event highlights the importance of what we are doing. We want to make sure the system that is in place has all of the appropriate service outlets needed for short-term and long-term challenges faced by our elderly and disabled community.

### **III. REVIEW / APPROVAL OF MEETING MINUTES OF NOVEMBER 17, 2008**

Eric Foster asked members to review the meeting minutes of November 17, 2008.

Wanda Bailey Jenkins made a motion to accept the Meeting Minutes of November 17, 2008; seconded by Tom Rau. **Motion carried.**

### **IV. REVIEW LETTER TO MICHIGAN CONGRESSIONAL DELEGATION**

Mr. Foster drafted a letter to the Michigan Congressional Delegation to introduce what we are doing as it relates to the LTC Task Force and asking for an opportunity to work with the congressional delegation members and stress that there should be a standing committee on aging or LTC on the federal level. The draft letter that was distributed would be a follow-up letter. Mr. Foster will withdraw the draft letter and revise it to read as our initial intentions. He will have it reviewed by Gloria Hicks Long and send out to the members of the subcommittee for approval at the next meeting. He asked for questions regarding this follow-up letter.

Tom Rau thought it was well-done and stated what we wanted.

Wanda Bailey Jenkins stated that the goal of Detroit Area Agency on Aging (DAAA) is very similar to the mission of the Detroit Wayne County Long Term Care Connection. She asked if there is another way to state what the goal is without using identical language as the DWCLTCC and that the state had already funded the mission of the DWCLTCC. Eric Foster stated that they will be sure to modify the first sentence to introduce the Detroit Long Term Care System Change Task Force and its goal. Mr. Foster asked Ms. Bailey Jenkins if the DWCLTCC was state or federally funded. Ms. Bailey-Jenkins answered that they were state funded. Mr. Foster's reply was that our letter would be the initial steps toward requesting funding from the federal level.

### **V. LEGISLATION & REGULATIONS REVIEW – PLANTE & MORAN**

Brenda Sowash stated that the federal regulations are not the issue for most of the providers. Some things on the state level are problematic; Plante & Moran will come back with position statements in the report once some things are finalized. The bed tax has been a problem and the delay in re-imbursements, the rate is at 53,500 vs. 125,000 average facility value. The civil money penalty auction: is there a way to bring that money back into the areas that we need to focus some monies on. Can we offer incentives to providers to do different things? These are some ideas that have been suggested by the providers that seem to be very viable that we could develop position statements on. Jerry Gumbleton is focusing on Michigan Association of Homes and Services for the Aging (MAHSA) and Healthcare Association of Michigan (HCAM) because they already have a legislator's ear, American Healthcare Association (AHCA). These agencies are very active on the state and federal levels.

Mr. Foster stated that one of the things that we want to ensure is that the legislative goals are merely recommendations that address issues within the urban communities. HCAM and MAHSA sometimes do not consider urban dynamics.

David Stobb and Tom Rau responded that Detroit area facilities are taken into consideration at HCAM. Brenda Sowash also stated that she believes that MAHSA has pretty good representation of what we are looking for. Ms. Sowash will take Mr. Foster's concern into consideration.

Ms. Long asked if HCAM's Board Minutes are posted on their website. David Stobb and Tom Rau responded that previous minutes can be viewed in their newsletter. The posting of current minutes are for Members Only.

Ms. Sowash re-iterated that Jerry was interfacing with mainly those two agencies and they are always looking at how different legislative issues are going to impact facilities from a re-imbursement standpoint. The federal regulations are not so much problems for providers as much as the following state regulations:

- Bed Taxes
- Reimbursement Rate

Mr. Rau stated that eligibility was also an issue.

Ms. Sowash agreed that the lack of portability of the criminal background checks is an issue. Is there a way to have some sort of portability of criminal background checks within an organization so that each facility is not paying for the process repeatedly for one particular person who may transfer or begin at a new location?

Tom Rau stated that the fingerprinting portion of the background checks is the most costly.

Ms. Sowash suggested a way to address the eligibility issue: To meet with Kay Andrezak, Department of Human Services to set up a sub-group of this subcommittee to determine how we could expedite determining eligibility for providers. Detroit and Kent County have the highest eligibility delay that Plante & Moran is finding.

Ms. Long stated that Kay has been reassigned to Macomb County but will remain on the committee as a caregiver rather than a representative from DHS – Wayne County. Ms. Long suggested Margie Young as our new contact person at DHS.

Mr. Foster asked how long it would take to develop a working model or process that we could tap into as a part of the overall legislative action agenda. That would be the key to the eligibility issue. He suggested that the subcommittee begin to define these issues into a process, allowing them to be written into language, the better the state would handle the resolution to the problem; rather than just explaining to them the problem and asking for help with a solution. The Legislative Services Bureau that actually drafts the language for bills is on a three to four month back log. So, the easier we make it for the representatives and senators who want to introduce legislation on our issues, the better. Mr. Rau suggested that this can probably go through policy rather than legislative or administrative. If it is a cost neutral thing, they should not disagree with us on this. Mr. Rau thinks that it will be cost neutral.

The subcommittee discussed the delay in the eligibility process. Because the Business & Economic Development Subcommittee is discussing re-imbursement and the eligibility process solutions as well, Ms. Long and Mr. Rau suggested that Ms. Sowash and Rob Long meet to prevent duplication on that topic.

Mr. Foster stated that an Eligibility Workgroup will be convened of this subcommittee to specifically chart current problems and two viable options that can be presented. That workgroup will coordinate with the Business & Economic Development to prevent duplication.

#### **VI. EMERGING ISSUES FOR LEGISLATION CONSIDERATION (RECAP FROM LAST MEETING)**

This topic was addressed in Agenda Item V

#### **VII. LEGISLATION INPUT FROM OTHER TASK FORCE SUBCOMMITTEES**

The LTC Stakeholder Engagement Subcommittee will not be giving input but supporting the activities of this subcommittee.

Mr. Rau stated that an education committee needs to be involved. Some businesses will need to be educated on how they need to do business a different way once they begin to get more Medicare money. Mr. Foster suggested that the Nursing Home Management Subcommittee would be responsible for that provider education.

Mr. Foster would like for Ms. Long to send out communication to others subcommittee chairs that requests their status of ideas, suggestions or points of policy to be reviewed at our next meeting.

#### **VIII. STATUS REPORT ON OTHER AAA'S - UCG**

Kendra Howard will present the status report at the next meeting. Ms. Howard asked subcommittee members if anyone had any connection with the Flint Area Agency on Aging. Ms. Long was certain that we could reach someone there.

**IX. SCHEDULE LEGISLATIVE PROCESS TRAINING**

A tentative date for the Legislative Process Training has been set for Thursday, February 5, 2008 at DAAA in the SPE Annex. The training is expected to be approximately 2-3 hours.

**X. SCHEDULE FUTURE MEETINGS FOR 2009**

The Legislation & Regulations Subcommittee will begin to meet bi-weekly on the following dates:

Thursday, January 15, 2008 – 10:30 a.m.

Thursday, January 22, 2008 – 10:30 a.m.

Thursday, February 12, 2008 – 10:30 a.m.

Thursday, February 26, 2008 – 10:30 a.m.

Thursday, March 12, 2008 – 10:30 a.m.

**XI. AGENDA BUILDING FOR NEXT MEETING**

Items up for discussion at the next meeting are as follows:

- Begin building actual policy following the three areas of focus
- Review revised introduction letter
- Review feedback from other AAA's

**XI. ADJOURNMENT**

Meeting was adjourned at 11:08 a.m.

Respectfully submitted by:

Leah Pippen

GHL/lp

*Moving Towards Enhancing the Quality of Care*