

MARIN COUNTY COMMISSION ON AGING
Legislative Task Force Meeting
Friday, November 4, 2016

MEETING SUMMARY

Present: Ellie Bloch, Allan Bortel, Sybil Boutilier, Teri Dowling, Judy Kirshbaum, Joan Lubamersky, Carol Mills, and staff Michele McCabe

Since the Legislature is out of session, there were no formal reports from the Legislative Aides. Carol Mills spoke about the town hall that Senator McGuire will hold in Marin regarding homelessness. The top ten CSL proposals were distributed to the group. (Copy to follow) The CSL representatives asked people to briefly review the concepts and get back to them with any comments.

The Commission on Aging presentation on December 1, 2016 was fine-tuned and finalized as follows:

- Slight changes were made in the timeline allowing more time for questions
- The hand-out, "New Laws for 2017" was reviewed. The only change was members wanted the print to be bigger.
- Staff reported that the suggested changes to the Marin Legislative Platform have gone to the County Administrator for review. Staff received a request for background and context which was also sent. When the final is published, staff agreed to get a copy for the task force and show which suggestions were in fact acted upon. This will most likely be published in late December or early January 2017.

The task force then discussed the four main budget and policy items for advocacy which are supported by C4A and the California Commission on Aging. Last month the group decided to also advocate for them in 2017. After further discussion, the group decided to add a 5th item regarding homeless older adults. Senator McGuire will be holding a town hall meeting in February 2017. The task force plans to support his work. The recommendations will go to the Executive Committee for approval at their meeting on Monday November 28th. They include:

- Senior Nutrition
- SSI/SSP reform
- Permanent Funding for the Long-term Care Ombudsman. (LTCO)
- State funding for Aging and Disability Resource Connection (ADRC)
- Homelessness and Older Adults.

The group discussed the best way to advocate especially during the budget process. The group would also like to meet with Assemblyman Levine and Senator McGuire about the budget process. This will be discussed further at the January meeting and co-chairs will discuss with the Executive Committee and AAA Director Pullen.

The group then discussed advocacy in general terms and would like another meeting with the County Administrator to clarify how commissioners might fulfill the federal mandate to advocate for older adults. It was suggested that once this is decided, the protocol should be put in writing so that there could be no misunderstandings. Co-chairs will discuss with Director Pullen.

The next meeting of the Legislative Task Force will be on January 6, 2017.

The California Senior Legislature Announces Top Legislative Priorities for 2016

(Sacramento, CA) The California Senior Legislature (CSL) adjourned its 36th Annual Legislative Session on Thursday afternoon and will announce the Top Ten State Legislative Proposals and Top Four Federal Proposals at a news conference at the State Capitol today.

The following were listed as the Top Ten State Legislative Proposals:

AP5: Labeling of Prescription Drugs

This measure would require physicians and surgeons to include the purpose of the medication on the prescription label.

SP4: Financial Support of CSL

This measure would require Department of Motor Vehicles to issue special license plates to provide funding.

AP18: Alzheimer's Day Care Resource Centers

This measure is to fund Alzheimer's Day Care Resource Center Programs.

SP1: Alzheimer Research Funding Proposal by Allan Bortel CSL Senate

This measure will allocate \$10 million per year for next three years to fund non-pharmacological Alzheimer research.

AP1: Tenancy: Extended Notice Period Proposal by Ellie Bloch, CSL Assembly

This measure would allow seniors and individuals with disabilities the option to extend the vacate notice period up to 6 months in order to relocate.

AP19: Medi-Cal Long-Term Care Personal Needs Allowance

This measure would increase personal needs allowance from \$35 to \$80 per month and annually adjust personal needs allowance by some percentage of the Customer Price Index.

AP16: Mobile Home Residency Rights

This measure would authorize any homeowner to share the mobile home with one guest and would delete the requirement of a written treatment plan by a physician.

AP7: Identify Theft

This measure would create a 2 year sentence enhancement for conviction of a crime against a person 65 years or older and results in a financial loss of \$25,000.

AP20: Personal Income Tax Credit: Caregivers

This measure will allow an eligible caregiver a credit against personal income taxes proposed for a taxable year equal to 30% of qualified expenses.

AP2: Unit Pricing

This measure will require the Department of Food and Agriculture to create a standardized format for product pricing available to consumers.

The following were listed as the Top Four Federal Proposals:

AFP1: Labeling of Prescription Drugs

This measure requires medication so prescribed to include the purpose for which prescribed on the label.

SFP3: Social Security Burial Benefits

This measure would raise Social Security Burial amount to \$495.

SFP2: Veterans Pension Benefits

This measure would require the US Department of Veterans Affairs to ensure each Veteran receives full pension benefits and upon death become the property of the estate.

AFP2: Durable Medical Equipment – Grab Bars

This measure would request the Federal Government to adopt appropriate regulations to add grab bars to list of durable medical equipment.

December 1, 2016 Commission meeting Schedule

Time	Who	What
10:00am (sharp) (30 seconds)	Marianne	Announce filming
10:01am-10:05am (4 minutes)	Sybil	<ul style="list-style-type: none"> • Welcome everyone on behalf of the Legislative Task Force • Give mic over to Barbara Solomon
10:05am-10:10am (5 minutes)	Barbara Solomon	Welcome to the Redwoods
10:10am-10:15am (5 minutes)	Sybil	Introduce Marc Levine
10:15am-10:30 am (15 minutes)	Assemblyman Levine	Remarks: <ul style="list-style-type: none"> • General Elections and what passed propositions (if any) mean for Seniors • What will happen with the CA budget focusing on Governor's Veto of 1584 • Speak to current and future of long-term care in California
10:30am -10:50am (20 minutes)	Assemblyman Levine	Questions and Answers
10:50am-11:00am (10 minutes)	CSL Members Ellie and Allan	<ul style="list-style-type: none"> • Mention what's happening now with the CSL • Urge people to pick up the handout: <i>New laws effective 1/1/17 of interest to seniors.</i>
11:00am -11:15am (15 minutes)		Break
11:15am -12:15am (60 minutes)	Teri	Business Meeting



New Laws for 2017

AB 1836 - This law allows a probate court to consider a petition, hold a hearing and order a mental health assessment and investigation for a mental health conservatorship by the local mental health system or plan. An evidentiary hearing can be held in the probate court and the court may order an assessment to determine:

- if the probate conservatee has a treatable mental illness
- if the conservatee is gravely disabled
- if the grave disability is caused by the treatable mental illness (or chronic alcoholism)
- if the probate conservatee is incapable of accepting treatment voluntarily.

AB 2207 - This law makes improvements to the Denti-Cal program. The outcome of these changes should:

- improve the quality of providers
- collect more accurate data
- provide better access to clients
- improve coordination of care

AB 2231 – This law raises the civil penalties for violations in residential care facilities for the elderly (RCFE) and community care facilities. Note: Does not go into effect until July 1, 2017.

AB 2366 - Currently long-term care insurance is strictly regulated. Companies must notice policy holders with any changes to any product. This new law gives insurance companies 12 months to offer updates to policies. It also says notice must be given when changes are “material”

AB 2721- This bill requires the Department of Justice to develop and distribute an informational notice that warns the public about elder and dependent adult fraud and provides information regarding how and where to file complaints.

SB 924 - This law was co-sponsored by the California Advocates for Nursing Home Reform and support by the California Department of Insurance. Seniors are often target by unscrupulous brokers and sold products that they do not need. This law adds to the “suitability requirements” that insurance producers have to consider. These requirements include age, annual income, financial situation and needs, intended use of the annuity, risk tolerance, net worth, tax status and whether the consumer intends to apply for government benefits i.e.: Medi-Cal and VA Aid and Attendance.

SB 939 - The law will apply to contracts signed after January 1, 2017. It adds some protections for residents of a “Continuing Care Community”. There are three CCC’s that are licensed to do business in Marin: Villa Marin, The Tamalpais, and Aldersly.

SB 1091 - This law establishes basic statutory standards for “alternative plans of action” in long-term care insurance plans. Some policies have a provision where the insurer, the insured and the insured’s health care provider agree to services that are not covered for example durable medical equipment or modifications. This bill also defines health care provider as “a physician, registered nurse, licensed social worker or other individual as defined by the United States Secretary of the Treasury in regulations.