



STATE OF NEVADA  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
AGING AND DISABILITY SERVICES DIVISION

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### **MEETING NOTICE AND AGENDA**

Name of Organization: Nevada Commission on Aging  
Strategic Plan Accountability Subcommittee (SPAC)  
  
(*Nevada Revised Statute* [NRS] 427A.034)

Date and Time of Meeting: Tuesday, October 21, 2014  
10:00 a.m.

Place of Meeting: Aging and Disability Services Division  
1860 East Sahara Avenue  
Las Vegas NV 89104

To Join the Telephone Conference: Call-in number: 888-363-4735  
Access Number: 8529740

### MINUTES

I. Call to Order/Roll Call

Members present: Connie McMullen, Jerry Johnson, Sue Rhodes

Members absent: Kathy McClain, Daniel Mathis, Barry Gold

Staff present: Sally Ramm, Elysa Kleidosty, Tina Gerber-Winn

II. Welcoming Remarks  
Connie McMullen, Chair

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

There was no public comment.

IV. Approval of the Minutes from the September 23, 2014 meeting  
(For possible action)

Connie McMullen, Chair

Sue moved to approve the minutes.

Jerry seconded the motion to approve the minutes.

Meeting minutes were approved.

V. Announcements from Members

Connie McMullen, Chair

Connie said she was pleased with the budget and all of the increases for aging. There were no other announcements.

VI. Report and Discussion on Governor's Behavioral Health and Wellness Council, Including but not Limited to Testimony at the Meeting on October 6.

Connie McMullen, Chair

Connie said that she and Sally gave testimony at the October 6<sup>th</sup> Behavioral Health meeting and asked Sally to report on it.

Sally said they expected they would be the only ones on the Agenda, but the Agenda was actually quite lengthy. They did not have the opportunity to present what they had prepared, but they were still able to get information out there. She said that the best thing that came from the meeting was getting on the record and in the minutes; the full versions of their presentations made it into the minutes, even though they did not get to share them during the meeting. The Council is supposed to put elder issues on their next meeting agenda as well. The next Council meeting is December 9<sup>th</sup>, and Connie said it would be interesting to see if elder issues end up on the agenda or not. She may go to the next meeting and speak during public comment.

VII. Discussion about the Waiver Survey Results from Division of Health Care Finance and Policy.

Connie McMullen, Chair

Connie said the first survey was sent out to a lot of the assisted living facilities, HIRCs, and smaller group homes. A lot of people did not understand the significance of the survey questions and were unable to determine whether or not they were delivering person-centered care. The surveys came about as a result of the new CMS final ruling(s) that as of January 16, 2014 affects the 1915-I State Plan Home and Community-Based Waiver as well as the 915-C Home and Community-Based Waiver, requiring person-centered planning, program quality review, and Olmstead principals. Moving forward, states must come up with a transition plan, which has to be in place by March. Medicaid developed a second group of questions that are similar to the first group of questions but explain things more clearly. The transition summary should be out by Mid-November for public review.

Connie asked if anyone had any questions or comments.

There were no further questions or comments.

VIII. Discussion of Olmstead Plan Proposal.

Connie McMullen, Chair

Connie asked Tina to give a summary.

Tina said they had their meeting last Friday. Tony Records will be providing an update on the status of Olmstead compliance, as they were able to get funding for his evaluation. They revised the timeline for his report, assessment, and completed product, so he is to start in the first part of November to evaluate and talk to people about Olmstead. He was going to speak to the Commission on Aging, Commission on Services for People with Disabilities, and stakeholders. They developed a list of potential interviewees for him so he can put a schedule together. There will be about 25 spots in terms of times and people he can interview. Several members were interested in having groups of people, like families of children with disabilities, available to talk with him about issues such as service access. They should have the evaluation of Olmstead compliance ready in time for the Legislative session in mid-February.

Connie said the report will be important for people with disabilities and the integration of the Division and will be a good leverage tool for advocacy. Connie said they are gathering reports for Tony Records to look at for writing his final report and have been asked to forward them to the office. They have a short meeting on Friday at 1pm, for which DaleAnn sent out an invitation. She asked if there were any more questions.

Jerry asked whether or not the funding for the report was through the agency or a private party.

Tina said they worked with Public and Behavioral Health for grant funding for the report.

IX. Update on the Nursing Home Industry, Including Effects of the Behaviorally Complex Care Program.

Daniel Mathis, President & CEO, Nevada Health Care Association

Daniel Mathis was not present to speak on this issue, but Connie said that it is moving forward. In the proposed Medicaid budget, there is a \$5 per day increase for behaviorally challenged or higher level care patients. It is designed as an incentive for facilities to take these types of patients who require higher levels of care. She said she likes the direction they are heading and hopes the budget will be approved. Sue was still concerned about the fiscal impact and the effect on out of state placement.

X. Discussion on Current Bill Draft Requests.

Barry Gold and Sally Ramm

Sally said there are currently 535 BDR requests in. She highlighted some BDRs of interest. The Silver-Haired Legislative Forum used one of their BDRs for the Ombudsman program and the Legislative Committee on Seniors, Veterans and Adults with Special Needs put in a BDR request regarding staffing levels in nursing facilities, also important to the Ombudsman program. BDR 434 is the Attorney General's BDR regarding licensing of paid professional guardians. Aging and Disability Services submitted a request to the Department for a BDR that clarifies some of the language on the consolidation of the agencies as well. Sally said she will send out a list in the next week or so of BDRs that she will start following more closely. There will probably be more language available for the bills in January, but the language on the majority of these bills will not be revealed until they are introduced in February.

Connie said the Long-Term Care Ombudsman program is requesting new positions to reduce the case load and help with intake. She also said that Barry Gold got someone to request the Care Act.

Tina said the Task Force on Alzheimer's disease has an initiative related to caregiver support and wanted to revise their state plan to include information on the Care Act, so they are interested in advocating for that as well.

Connie is interested in helping the personal care agency group in getting unlicensed personal care agencies licensed and supporting an enforcement mechanism to fine those who are unlicensed.

Sally asked if Connie knew whether or not they are working on redefining "unlicensed" in the statute.

Connie said she was unsure, but they really should. She spoke to Deputy Attorney General Linda Anderson on this issue, and she said the chapter should be opened in order for more tightening of the regulations to occur. It cannot be done through the Administrative Code, however, and must instead be addressed in a BDR.

XI. Consider Agenda Items and Date and Time for the Next Meeting  
(For Possible Action)

Connie McMullen, Chair

Items to be addressed on the next agenda:

- Items VI, VII, VIII, and VIII current agenda will be repeated
- The budget
- Updates on the affordable Care Act

Date and time for next meeting:

- Thursday December 11, 2014 at 10:00am

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

There was no public comment.

Jerry moved to adjourn the meeting.

Connie seconded the motion to adjourn.

Meeting adjourned at 11:00am.

NOTE: Items may be considered out of order. The public body may combine two or more agenda items for consideration. The public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The public body may place reasonable restrictions on the time, place, and manner of public comments but may not restrict comments based upon viewpoint.

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***Agenda Posted at the Following Locations:***

1. Aging and Disability Services Division, Carson City Office, 3416 Goni Road, Suite D-132, Carson City, NV 89706
2. Aging and Disability Services Division ,Las Vegas Office, 1860 East Sahara Avenue, Las Vegas, NV 89104
3. Aging and Disability Services Division ,Reno Office, 445 Apple Street, Suite 104, Reno, NV 89502
4. Aging and Disability Services Division , Elko Office, 1010 Ruby Vista Drive, Suite 104 Elko, NV 89801
5. State Legislative Building, 401 S. Carson Street, Suite 3138, Carson City, NV 89701
6. Grant Sawyer State Office Building, 555 E. Washington Ave, Suite 4401, Las Vegas, NV 89119
7. Department of Health and Human Services, 4126 Technology Way, Suite 100, Carson City 89706

Notice of this meeting was posted on the Internet: <http://adsd.nv.gov> and <https://notice.nv.gov/>