



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  
Subcommittee Concerning Legislative Issues  
  
(*Nevada Revised Statute* [NRS] 427A.034)

Date and Time of Meeting: Tuesday, November 3, 2014  
10:00 a.m.

Place of Meeting: Aging and Disability Services Division  
445 Apple Street, Suite 104  
Reno NV 89503

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

### MINUTES

I. Call to Order/Roll Call

Members present: Jeff Klein, Lucy Peres, Diane Ross, Grady Tarbutton, Lisa Krasner, Larry Weiss

Members absent: Senator Mark Manendo

Staff present: Sally Ramm, Elysa Kleidosty

Public present: Connie McMullen

II. 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.

III. Approval of Minutes of October 14, 2014 Meeting  
(For possible action)

Jeff Klein, Chair

Grady moved to approve the minutes.

Lucy seconded the motion to approve the minutes.

Meeting minutes were approved.

IV. Results of Events Held at Which the Elder Issues White Papers were discussed, including Nevadans for the Common Good, Grady's talk with KNPB and Plans for Future Events.

Jeff Klein, Grady Tarbutton, Diane Ross, Larry Weiss

Diane said that there was a good turnout for her event at the Continuum. She said no legislators were present, but the mayoral candidates were present. She said there were also representatives from different organizations that support various issues and causes, including Multiple Sclerosis and Parkinson's.

Sally said she spoke with both mayoral candidates at the event and got an opportunity to provide education on social services. She said that Grady and Larry did a great presentation.

Sally asked for support of the elder issues in the upcoming Legislative session, and there were multiple individuals who agreed to say something during the session.

Grady said that there were nine candidates in attendance at the Washoe County Senior Services event on October 21<sup>st</sup>, including local assembly candidates for Sparks and Reno City Council.

Grady also met with KNPB Public Broadcasting. Washoe County is putting together some segments for them and will be sending out camera crews within the next month for the upcoming TV show, which will air sometime in January. Exact date(s) are not yet known, but he would keep the group informed. He wants to make sure it generates interest locally as well as statewide and will be talking a lot about what Washoe County has done, specifically with home delivered meals. There will also be a second show with Brett Boynton about seniors and the legislative session. Grady would appreciate input from the group as far as possible topics to be covered.

Jeff said there have been 3 or 4 meetings in the South within the last month with the leadership group from Nevadans for the Common Good regarding their preparation for the upcoming session. They are having ongoing dialogue about how they can support the initiatives that have been laid out in the White Papers as priority. So far, they seem to have adopted most of the same key headline areas, but it will be up to the Subcommittee to get them to focus on advancing and/or supporting BDRs as they develop. There is a regional issues meeting scheduled for November 16<sup>th</sup>. Nevada Hand, Catholic Charities, Southern Nevada Senior Law Program, and Nevada Senior Services all have agreed to participate and/or host upcoming events.

Grady asked Jeff if there were any representatives from Nevadans for the Common Good in the North, as they might be able to provide some good information for the TV show with Brett Boynton.

Jeff said he would get Grady in touch with their leader to be able to find that out. Jeff asked if there was anything anyone else would like to share about the events.

Lucy said all of the information from the White Papers went to the ADSO conference, where there were 144 people in attendance.

Jeff brought up planning for the February 9<sup>th</sup> Elder Issues event at the Legislature. They are putting together a planning document that will be ready hopefully by the next meeting, but they do have a “hit-list” on some of the logistics. There will be a continental breakfast from 7:30 a.m.-9:00 a.m. where representatives from sponsoring groups and experts on the issues will be present. The “asks” for legislative action will be up on the wall and the experts will be able to respond to questions and provide information on issues that require further explanation. This will continue throughout the morning, but after breakfast, sessions with individual legislators will be scheduled. He said from 11:45 a.m.-1:00p.m., there will a lunch session with two formal presentations on the “asks.” Sessions with legislators will be scheduled in the afternoon as well. Once there is a better idea of the legislative calendar for that day, they can a more detailed schedule of the individual meetings with legislators will be developed. Jeff will get the planning document ready for the next meeting. Sally said she would make it an agenda item for the next meeting.

Jeff would like for those who are interested in participating in the event to e-mail him, but he would have a better idea of how people can best be involved once the event is closer.

V. Discuss and Decide on Plan of Action for Engaging with the Behavior Health and Wellness Council Meeting at their future meetings.  
**(For possible action)**

Jeff Klein, Chair

Jeff said that Jane has been working to re-state and re-frame the “asks”, that were in the package that was presented, in a manner that is more consistent with issues that the Council has already adopted. In addition, they have talked about reaching out to members of the council individually. The hope is that they will have a better idea of a strategy that they can discuss at the next Subcommittee meeting.

Jane Gruner is very supportive of the idea of having someone speak during public comment at the next Council meeting.

Grady said that he and Larry have recruited Donna Clontz as the speaker. Jeff suggested they get together with Jane Gruner on the talking points.

VI. Discussion on Medicaid Waivers, Personal Care and Long Term Care.

Grady Tarbutton

Grady said that Washoe County pays Medicaid match on several programs, including Medicaid Waivers. Washoe isn't the only county that does this, and

Grady believes that all counties are required to use part of their indigent funds for Medicaid match. He has some revised projection numbers based on the State's 2012 Health and Human Services Report. He said that in 2012, there were 16,108 seniors and people with disabilities in the state of Nevada that were getting Medicaid long term care services of one kind or another. He projects, if nothing changes, this number will grow to 20,200 by 2020. In 2012 the cost for those long term care cases where 35% of the people were in nursing homes was \$276 million. He said if nothing changes by 2020, he projects those costs to increase by \$93 million to reach a total of \$369 million. If only 20% of the long term care case load were in nursing facilities, however, that the cost would only increase by \$12 million. A number of states have achieved similar percentages; the state of Oregon and a four-county area in Washington having reached 15%. They do not yet know the state's budget and do not know how the state will be performing in 2016. The message from Washoe County is that they are already doing things locally to curb the costs, but more needs to be done. The Department of Health and Human Services' budget proposal is asking for 400 new Medicaid waiver slots, which is something that is very important to support as far as the County is concerned. There are grants for programs such as home delivered meals and Aging and Disability Resource Centers that are also important to support in this next session. He wants to determine how to deliver the message that the counties are significant players in delivering services and curbing the Medicaid long term care costs. Grady has done a Power Point presentation that talks about the Olmstead Act. The reason he wants to frame it around the Olmstead Act is because it will likely drive a lot of Medicaid's state policies and costs can be reduced if the Act is implemented properly. Jeff said that Nevadans for the Common Good has picked up this issue as well. He said they have discussed the capacity to deliver services under the waiver and the history of that capacity since 2008. The rates for these services are now 12 years old. They have been asked repeatedly why there is not more resource in the state to provide services for personal care, adult day health, respite, etc. when there is such a need. There are obviously budget issues, but there is also a rate issue, and a rate increase would also increase capacity. Grady asked if the message, then, is that something needs to be done to build the capacity of service providers to deliver long term care, and that one of those things is rates. Grady said that the nursing daily home rate is going from \$200/day to \$205 dollars a day, which over 12 years comes out to a 2.5% increase, which isn't significant. One of the things they have to be concerned about while going through the budget process is how Health and Human Services changes Medicaid eligibility for long term care. One way to bend the curve of costs is to have less people who are eligible, but those people will not stop having care needs just because they are no longer eligible for Medicaid. Sally asked if all of this could also be framed under Olmstead. Grady said yes it can.

Sally said maybe this can be shared with Tony Records so he can make sure his report reflects some of this information, as it will be the basis for the next Olmstead Act for Nevada.

Connie suggested that Grady get in touch with Tony when he is in the area.

Sally suggested that Grady talk to Tina.

VII. Discussion and Possible Action on the Items in the Elder Issues White Papers that Called for Specific Tasks by Subcommittee Members.  
**(For possible action)**

Jeff Klein, Chair

Item was not addressed. Item will be addressed at a future meeting.

(Item Taken Out of Order)

VIII. Review and Discussion of Current Bill Draft Requests, Proposed Bill Language, and Setting Priorities of Support for Coming Legislative Session.

**(For possible action)**

Jeff Klein, Barry Gold, Sally Ramm

Sally said she created a list of some that the Subcommittee may want to keep an eye on to see if they get pre-filed. She said BDR 415 is still up in the air because the Silver-Haired Legislative Forum has not yet decided what the “ask” will be. She said BDR 417 still addresses the staff to resident ratio provision. She has been particularly active with BDR 434 regarding licensing of paid professional guardians. She has had several meetings to help build support and has sent it to public and private guardians with no negative feedback so far. It will be interesting to see how the language that the LCB comes up compares to the language that was actually submitted by the Attorney General’s Office. She is still working with LCB on BDR 531, which has to do with requiring guardians for Nevadans to be in-state. Sally expects that LCB will start pre-filing bills before Christmas. Barry Gold will be having a presentation on the Care Act, BDR 512, at the Continuum this Thursday.

Jeff said the Community Health Worker concept, which is one that the Subcommittee took on early, is buried in one of them as well, but he does not know which one.

Sally said she would look for it.

Grady said that BDR 237 would require medical providers and first responders to receive training on caring for people with Alzheimer’s disease. He said it seems easy to support and makes a lot of sense.

Sally said they will know what is in the budget by February 9<sup>th</sup>, so maybe the Subcommittee should focus on supporting certain aspects of it.

Jeff said there should be a discussion on whether or not there is a need for funds that do not make it into the budget and also on the number of Medicaid slots. He said they should talk to Jane Gruner before the next Subcommittee meeting and possibly invite her to the next meeting.

Grady asked how they come up with the number of Medicaid slots.

Connie said it comes from projecting how much the staff can handle and whether or not they can provide care to a certain number of people.

IX. Consider and Make Recommendations for Topics and/or Agenda Items and Date for Next Meeting (For possible action)

Jeff Klein, Chair

The Subcommittee agreed that the next meeting will be held on December 2<sup>nd</sup> at 2:00PM.

The following topics will be included in the Agenda:

Update on the Behavioral Health and Wellness Council

Update on the Olmstead Act

Update on the Medicaid HCBW transition plan

February 9<sup>th</sup> Legislative event to the Agenda as well.

X. 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)

Connie brought up the discussion on un-licensed care attendants not being penalized.

XI. Adjournment

Diane moved to adjourn the meeting.

Grady seconded the motion to adjourn.

Meeting adjourned at 11:30am.

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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**NOTE:** We are pleased to make reasonable accommodations for members of the public who have disabilities and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Elysa Kleidosty at (775) 687-0801 as soon as possible and at least two days in advance of the meeting. If you wish, you may e-mail her at [ekleidosty@adsd.nv.gov](mailto:ekleidosty@adsd.nv.gov)

Supporting materials for this meeting are available at: 445 Apple Street, Reno NV or by contacting Elysa Kleidosty at (775) 687-0801 or by email at [ekleidosty@adsd.nv.gov](mailto:ekleidosty@adsd.nv.gov)

***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 at <http://www.adsd.nv.gov/> and <https://notice.nv.gov>