



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

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MINUTES

Name of Organization: Task Force on Alzheimer's Disease (TFAD)

Date and Time of Meeting: December 11, 2015
10:00 a.m.

Location: The Cleveland Clinic
Lou Ruvo Center for Brain Health Campus
888 W. Bonneville Avenue
Las Vegas, NV 89106
(702) 483-6000

To Join the Telephone Conference Call-in Number: 877-336-1831
Access Number: 9186101

I. Call to Order/Roll Call

Senator Valerie Wiener (Ret.), Chair

Members present: Sen. Valerie Wiener, Senator Joe Hardy, Dr. Charles Bernick, Albert Chavez, and Wendy Simons

Members absent: Dr. Jane Fisher, Julie Kotchevar, Assemblyman James Oscarson, and Dr. Peter Reed

Members participating by telephone: Gini Cunningham

Alternates present: Jeff Duncan

Alternates participating by telephone: LeeAnn Mandarino, Jacob Harmon

Guests: Daniel Mathis and Barry Gold

Guest participating by telephone: Sally Ramm

Staff present: Jill Bernston, Jeff Doucet, and Sunadda Woodbury

- II. **Public Comment** (This item is to receive comments, limited to three (3) minutes, on any issue and any discussion of those items. However, no action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item.)

Richard Black provided comments by telephone and submitted a written statement for the record (See Attachment A).

Mr. Black stated the purpose of his comments was to challenge the TFAD to take a more proactive stand with the Governor, Aging and Disability Services (ADSD), the Supreme Court, and Clark County Family Court to support the protection of the elderly, in particular those with Alzheimer's disease and other forms of dementia.

Mr. Black addressed concerns about those who have become incapacitated due to mental illness and are no longer able to defend themselves.

Barry Gold, Director of Government Relations, American Association of Retired Persons (AARP), Nevada, expressed appreciation for the TFAD members' support and advocacy for the CARE Act, Senate Bill 177 (SB 177), which passed in the 2015 Legislative Session. The bill has been in effect since October, 2015, but the community kick-off is planned for January 1, 2016.

Mr. Gold recognized Sen. Joe Hardy as the 2015 recipient of AARP's Capital Caregiver Award. This award recognizes legislators who have advanced the support of caregivers throughout the state.

Mr. Gold gave an update on the implementation of the CARE Act, starting in January 2016, and reported that the Hospital Association assured him that all is ready to go. The standard HIPAA form will be used for consent, with no other special requirements. Furthermore, Mr. Gold reported that, according to Mr. Kyle Devine, Bureau Chief, Bureau of Public and Behavior Health, there are no regulations required in Nevada. The regular survey process will be utilized.

Mr. Gold also provided an overview of education and consumer materials, along with samples to those in attendance. Materials presented include: the CARE Act wallet card, a handout for consumers that describes the CARE Act, and an article that is designed for use in newsletters.

Mr. Gold commented that a Touro University student will be researching how the CARE Act affects hospitals re-admissions in Nevada. He added that Nevada is considered a best-practice state for its legislative efforts to pass the CARE Act.

- III. **Welcoming Remarks**
Senator Valerie Wiener (Ret.), Chair

Sen. Valerie Wiener stated the primary focus of the meeting will be to review the Annual Report, which is due to the Governor in January 2016.

IV. Approval of the Minutes from October 23, 2015 Meeting (For Possible Action)
Senator Valerie Wiener (Ret.), Chair

Sen. Joe Hardy motioned to approve the minutes from October 23, 2015. Wendy Simons seconded the motion. Minutes were unanimously approved.

V. Review and Approve TFAD Annual Report (For Possible Action)
Senator Valerie Wiener (Ret.), Chair

Sen. Wiener facilitated the review of the Annual Report. The group examined the content of the report, page by page. Discussion and modifications were made to the following:

1. Legislative History

Discussion ensued regarding the format and where best to include the summary of 2015 legislative actions by TFAD.

Sen. Hardy suggested expanding the 2011-2013 legislative history to include TFAD's 2015 legislative accomplishments.

Ms. Simons moved to approve the changes as discussed. Sen. Hardy seconded the motion. Modifications were unanimously approved.

2. Recommendation 1: Statewide Information System—Albert Chavez

Albert Chavez confirmed that the information provided is accurate. Jeff Duncan added that the plan will eventually include a specific page for caregivers as well.

Mr. Chavez suggested modifying wording to state that the Aging and Disability Resource Center (ADRC) website will include a link to the CARE Act and AARP.

Ms. Simons moved to approve the changes as discussed. Sen. Hardy seconded the motion. Modifications were approved unanimously.

3. Recommendation 2: APRNs—Sen. Valerie Wiener

Sen. Wiener stated that the statistics reflect the most current information from the State of Board of Nursing. She asked staff to confirm the percentage of increase indicated in the document.

Sen. Hardy expressed concern over the lack of specific data for frontier areas, where the need for APRNs may be greatest. He noted that Washoe County and Carson City are considered “rural”, so the present numbers are not reflective of the more remote “frontier” areas, where people, especially seniors, need the care.

Sen. Wiener remarked that qualifying language can be added to emphasize that the recommendation will focus on the underserved population in the frontier areas. TFAD can also request a breakdown from the Nevada State Nursing Board for the frontier areas as well.

Ms. Simons moved to approve the changes as discussed. Sen. Hardy seconded the motion. Modifications were approved unanimously.

4. Recommendation 3: Telehealth—Albert Chavez

Mr. Chavez confirmed that the information provided is accurate.

Dr. Charles Bernick will send information on the number of people served through the Telehealth/Telemedicine programs at the Cleveland Clinic Lou Ruvo Center for Brain Health in Las Vegas.

Sen. Hardy commented that there are existing Telehealth/Telemedicine programs, such as through Renown and Southwest Medical, that serve not only the rural areas, but also urban areas as well. He recommended language modifications to include “developments related to telehealth, whether frontier, rural, or urban” to make the opening paragraph more inclusive.

Mr. Chavez inquired whether the language of the Recommendation itself should be modified because it only addresses rural communities. Sen. Hardy added that the wording can be modified to include ‘all’ communities, not just “rural” communities.

Dr. Bernick expressed concern that originally this recommendation was intended to focus on the needs of the rural areas, and he would like to continue that emphasis.

Sen. Wiener suggested that in the future, when TFAD works on modifying the State Plan, the language pertaining to Telehealth/Telemedicine can be expanded to include the needs of all communities in Nevada.

Sen. Hardy moved to approve the changes as discussed. Ms. Simons seconded the motion. Modifications were approved unanimously.

5. Recommendation 4: Removing Age Barriers—Sen. Valerie Wiener

Mr. Duncan stated that ADSD has been able to use Tobacco Settlement funds and Independent Living Grant funds for respite vouchers. However, the system doesn't capture data for the age of the recipients, so ADSD has no direct numbers to present.

Mr. Duncan asked the Alzheimer's Association to provide the numbers for recipients of their ADSD grant-funded programs under the age of 60. Mr. Chavez and Jacob Harmon confirmed that they can provide those statistics.

Mr. Duncan also clarified that, although the federal Lifespan Respite Grant is available to people across the lifespan, the target group is the 19-59 year-old population, which is the "gap" group or the families who may not fit into other public respite program requirements.

Sen. Wiener suggested the collection of data for those under 60, who are considered early-onset and who are applying for services, so that we can monitor the needs of this group.

Sen. Hardy recommended adding specific information to the upcoming grant-funded programs and services that will be initiated in 2016.

Ms. Simons moved to approve the changes as discussed. Sen. Hardy seconded. Modifications were approved unanimously.

6. Recommendation 5: Cultural Competency and Outreach—Dr. Jane Fisher

Mr. Duncan described work involving social services grants service specifications done in 2015, and he will provide details to TFAD. He recommended using the specific name of "ADSD Resource Development" as the entity addressing the language for the grants.

Mr. Duncan will confirm the wording in the second sentence of the second paragraph to clarify the language.

Ms. Simons moved to approve the changes as discussed. Dr. Bernick seconded. Modifications were approved unanimously.

7. Recommendation 6: Affordability of Services—Wendy Simons

Ms. Simons confirmed the accuracy of the information, citing that ADSD addressed a rate increase for developmental services providers as indicated in the report.

Sen. Hardy moved to approve the changes as discussed. Dr. Bernick seconded. Modifications were approved unanimously.

8. Recommendation 7: Nevada Research Consortium—Dr. Charles Bernick

Dr. Bernick confirmed the accuracy of the information, but recommended several changes in the order of the writing, which staff noted.

Dr. Bernick will send additional language to clarify the mission and intentions for the Nevada Research Consortium on Dementia (NRCD).

Dr. Bernick moved to approve the changes as discussed. Mr. Chavez seconded. Modifications were approved unanimously.

9. Recommendation 8: Care Pathways—Dr. Charles Bernick

Dr. Bernick confirmed the accuracy of the information.

Discussion ensued on how to expand the language to include the specifics of the CARE Act, which TFAD supported in this recommendation. Sen. Wiener suggested that staff incorporate information from Mr. Gold's handout, which includes details on the CARE Act, into the report.

Dr. Bernick moved to approve the changes as discussed. Wendy Simons seconded. Modifications were approved unanimously.

10. Recommendation 9: Long-Term Care—Wendy Simons

Ms. Simons recommended adding language to explain that the Department of Healthcare Financing and Policy (DHCFP) has enriched the funding stream by implementing the Behaviorally Complex Care Program (BCCP).

Sen. Hardy also suggested adding that DHCFP will be encouraged to build upon this program.

Ms. Simons moved to approve the changes as discussed. Mr. Duncan seconded. Modifications were approved unanimously.

11. Recommendation 10: Reducing the need for out-of-state placements—Dr. Jane Fisher

Sen. Hardy asked staff to confirm the number of out-of-state placements averted by the implementation of BCCP. Sandra Kitchener from Medicaid

had reported “approximately seven,” but the group would prefer a more accurate number.

Sen. Hardy moved to approve the changes as discussed. Mr. Chavez seconded. Modifications were approved unanimously.

12. **Recommendation 11-14 : Promoting Awareness and Education—
Sen. Joe Hardy**

Sen. Hardy affirmed the information presented in these recommendations was incorporated in Senate Concurrent Resolution 2, which was passed in the 2015 Legislative Session.

Ms. Simons suggested replacing “enrolled” with another word that provides more clarification pertaining to legislation that passed and became law.

Sen. Hardy moved to approve the changes as discussed. Ms. Simons seconded the motion. Modifications were approved unanimously.

13. **Recommendation 15: Respite Services—Dr. Jane Fisher**

Discussion ensued regarding how much information on grant activities and respite services should be included in this section.

Sen. Hardy emphasized the importance of the large scope of this recommendation. He suggested reporting everything that has been accomplished thus far, as well as upcoming plans for the future. Sen. Wiener suggested adding information about collaborations with local organizations to provide respite services.

Mr. Duncan offered to work with Jeff Doucet to assemble information for this section and forward the language to Sen. Wiener for final review. A deadline for submission was set for December 31, 2015.

Dr. Bernick requested that the Cleveland Clinic Lou Ruvo Center for Brain Health be included in the list of private and public agencies actively engaged in relevant work. The list appears in Paragraph II in this section.

Ms. Simons questioned the statement about skilled nursing facilities “donating blocks of respite services...”, and moved to strike the statement. Others concurred, citing the need to ensure the accuracy of the facts presented.

Ms. Simons moved to approve the changes as discussed. Sen. Hardy seconded. Modifications were approved unanimously.

14. Recommendation 16: Volunteers—Gini Cunningham

Gini Cunningham had reviewed and approved the information as presented.

Sen. Hardy moved to approve the language as it stands. Ms. Simons seconded. The motion was approved unanimously.

15. Recommendation 17: Guardianship—Sen. Valerie Wiener

Sen. Wiener commented that the work of the Guardianship Commission is still pending. Should any significant information need to be included here, it can be added at a later time.

Sen. Hardy moved to approve the language as discussed. Ms. Simons seconded. The motion was approved unanimously.

16. Recommendation 18: Best-Practice Transitional Care—Sen. Joe Hardy

This recommendation was not included in the first draft of the 2016 Annual Report.

Sen. Hardy commented that the recommendation can stand as is for now.

Dr. Bernick remarked that this may overlap with Recommendation 8, pertaining to Care Pathways. He added that the CARE Act also applies here.

Sen. Wiener proposed that she work with staff to craft language to summarize the status of this recommendation and will include it in the Annual Report.

Ms. Simons moved to approve the changes as discussed. Sen. Hardy seconded. Modifications were approved unanimously.

17. Recommendation 19: Public Awareness Campaigns—Dr. Charles Bernick

LeeAnn Mandarinno shared information about accomplishments of the awareness campaigns. This includes the successful distribution of the compasses to individuals who have been diagnosed with a form of dementia to use as a navigational tool on how to deal with Alzheimer's disease and other forms of dementia. She also mentioned plans for creating posters to distribute to doctor's offices, getting information out

through the ADRC website, as well as using the NRCD as a resource for information.

Sen. Wiener confirmed that the information Ms. Mandarino shared has been included in the status update for this recommendation.

Ms. Simons moved to approve the language as presented. Sen. Hardy seconded. The motion was approved unanimously.

18. **Recommendation 20: Community Collaboration—Dr. Charles Bernick**

Sen. Hardy read aloud the information as presented. Mr. Harmon confirmed the accuracy regarding the Alzheimer's Association Workplace Alliance Program (AWA).

Sen. Hardy moved to approve the language as presented. Ms. Simons seconded. The motion was approved unanimously.

19. **TFAD Activities 2015**

Mr. Doucet noted that in the paragraph containing information on the Alzheimer's Dementia Capability Grant, wording on the goals can be expanded to be more specific. He will provide more detailed language.

Mr. Doucet also suggested a wording change in the section describing the accomplishments during the first year of the grant. He explained that several of the activities are ongoing and need to be specified as such.

Ms. Simons moved to approve the changes as discussed. Dr. Bernick seconded. Modifications were unanimously approved.

VI. Discuss and Make Recommendations on Guardianship **(For Possible Action)**

Sally Ramm
Elder Rights Attorney
Aging and Disability Services Division

Sally Ramm provided an update on the work of the Supreme Court Commission to Study the Creation and Administration of Guardianships in Nevada's Courts. She stated that the Commission is scheduled to meet on December 15 and that the Nevada Supreme Court issued an order extending the existence of the Commission until July 2016.

Members of the Commission have submitted recommendations to Justice Hardesty, which will most likely form the basis of future meetings.

Ms. Ramm explained the complexity of the recommendations. She described there are 32 categories of recommendations including:

- definitions and terminology;
- the physician's certificate;
- person-centered planning;
- right to notice;
- temporary guardianships;
- counsel, representation and *guardians ad litem*;
- investigators and compliance;
- fees; billings;
- accountings;
- inventory;
- bonds;
- management of estate/sale of personal property;
- requirements, background checks, referral process;
- public guardians;
- training and curriculum;
- abuse, neglect, exploitation, complaint process;
- ward's bill of rights;
- caseloads;
- guardianship review teams;
- standardized forms;
- data;
- mediation;
- grants/financial supports;
- confidentiality and the media;
- facilities for veterans, and "other".

Ms. Ramm urged TFAD to examine, in particular, the ward's bill of rights. She emphasized that the scope of the work is tremendous, and there are more than 100 suggestions to reform or improve the current statutes and practices.

Ms. Ramm remarked that there are many different stakeholders in this system, and, at times, the primary stakeholders—persons facing or under guardianship and their families—are nearly forgotten in the legal system and by the providers of services.

Ms. Ramm mentioned that information on meetings, agendas, and minutes are posted on the Nevada Supreme Court, Administrative Office of the Courts website. The public is always able to attend the meetings and participate under "Public Comment." TFAD will be able to review the recommendations, as they are being turned into proposed legislation, administrative rules, and court procedures.

Responding to a query from Sen. Wiener regarding whether those directly affected by the issues of guardianships have had the opportunity to be heard, Ms. Ramm confirmed that many witnesses have provided testimony at the meetings.

Ms. Ramm stated that she will provide a report from the next Commission meeting to keep TFAD updated with the most current developments.

VII. Discuss and Make Recommendations on Behavioral Health
Placements/Facilities (For Possible Action)

Daniel Mathis
President and CEO
Nevada Health Care Association

Daniel Mathis commented that the information relating to behavioral health, presented in the Annual Report, is current and accurate.

Mr. Mathis stated he received some national information and will forward a spreadsheet containing information on 12 states that have a behavioral program.

Mr. Mathis provided updates regarding facilities. He explained that more than 50% of the facilities statewide are developing the Behaviorally Complex Care Program (BCCP), and more are expected to participate. Mr. Mathis said that there are no regulatory problems so far. Also the hospitals are working with the skilled nursing facilities (SNFs) before discharge to facilitate a smoother transfer and pre-authorization of the behavioral patients from the acute care setting to the SNFs.

Mr. Mathis remarked that providers are getting support from a variety of sources, including Health Care Quality and Compliance (HCQC) and the Department of Health Care Financing and Policy (DHCFP). Providers that have behavioral programs outside the state are also integrating those resources to help train their employees.

Mr. Mathis stated that he will be meeting with Richard Whitley, Director, DHHS, to discuss the barriers that may be present in the Medicaid eligibility process.

Responding to a query from Ms. Simons about the three-night stay requirement, Mr. Mathis commented that efforts are in place to reduce/remove this requirement.

Discussion ensued between Ms. Simons and Mr. Mathis about an observation stay vs. an admit stay. Mr. Mathis said there are efforts to reduce observation stays.

VIII. Discuss and Make Recommendations on the Nevada Research Consortium on Dementia (For Possible Action)

Dr. Charles Bernick
Medical Director
The Cleveland Clinic Lou Ruvo Center for Brain Health
Las Vegas

Dr. Bernick gave an overview of what took place at the inaugural meeting of the Nevada Research Consortium and Dementia (NRCD).

Dr. Bernick described that the discussion involved the general goals of the NRCD. He also explained ideas around the organization of this entity. He stated that a fundamental role of the NRCD would be to connect people with the research and disseminating the information to the public by using a variety of resources, such as presenting the information on the ADRC website, encouraging collaborations between researchers, and establishing a registry where investigators can be connected to the subject.

Dr. Bernick commented that a mission statement would be developed with input from NRCD members.

Discussion ensued between Mr. Duncan and Dr. Bernick on possible elements that can be incorporated into the ADRC website and how the facts can be integrated. Some of the information may include:

- A “Network” template where researchers can enter information on their biography and research;
- Information on studies taking place in Nevada and how to participate; and
- A link to a registry.

Sen. Wiener voiced concern over how to maintain credibility and verify the accuracy of the information that will be submitted from a variety of sources. She suggested some level of review or requirements that need to be satisfied.

Mr. Chavez suggested that the NRCD could screen applicants before their information is assimilated into the website.

Dr. Bernick proposed including links to outside sources and information that’s already vetted.

Ms. Mandarino commented that she will be sending out notes from the meeting, as well as the draft templates, and invitations to the next NRCD meeting in late January or early February 2016.

Ms. Simons requested that a representative from the Veterans Administration be included.

IX. Discuss and Make Recommendations on Caregiver Support (For Possible Action)
Jeff Duncan
Chief
Supportive Services
Aging and Disability Services Division

Mr. Duncan provided an overview of the Aging and Disability Resource Centers (ADRCs), which includes every county throughout the state of Nevada.

Mr. Duncan explained the vision of ADRCs. Some of the goals include:

- Changing the name to simply Resource Centers, because they provide services to people across the lifespan and offer a full spectrum of services;
- Creating a “No Wrong Door” system;
- Creating a “No Wrong Door” system governing board to address issues on securing grants;
- Exploring funding for the Resource Centers;
- Expanding the education and knowledge base of the Resource Centers through training; and
- Increasing public awareness.

Ms. Simons mentioned funding is also being sought for more caregiver support services, and there are more collaborations between organizations to ensure that people’s needs are being met.

Discussion ensued about distinguishing between Family Resource Centers and ADRCs, and how to streamline the services into the “No Wrong Door” system.

Mr. Duncan expressed that many grants are just seed money, and it’ll take time to gather information and proof of how essential/effective the grant programs are in meeting the needs of the people in Nevada.

Mr. Duncan asked TFAD to lend support in making possible recommendations to fortify and expand caregiver support programs.

Jeff Doucet provided an overview of the Dementia Capability Grant and the accomplishments during the first year of the project. An outline of his summary has been included in the Annual Report.

Responding to a query from Sen. Wiener, Mr. Doucet explained the breakdown of the funding for the programs associated with the grant.

Discussion ensued regarding the lifespan of the grant, the obligations/methods to seek further funding, and how Nevada can continue to sustain and expand the programs.

- X. Consider Agenda Items for Next Meeting (For Possible Action)
Senator Valerie Wiener (Ret.), Chair

Discussion ensued with proposals for the following agenda items:

1. Update from the Driving and Dementia Subcommittee
2. Update on Care Pathways meeting and NRCD
3. Update on Guardianship Commission

- XI. Discuss and Vote on Future Meeting Dates (For Possible Action)
Senator Valerie Wiener (Ret.), Chair

Sen. Wiener proposed alternating future meetings between Wednesdays and Fridays to accommodate both Dr. Bernick and Dr. Fisher.

Discussion ensued regarding meeting dates for 2016. Chosen dates are:

1. Wednesday, February 3
2. Friday, April 1
3. Wednesday, June 1
4. Friday, August 5
5. Wednesday, October 5
6. Friday, November 4 (Possible face to face?)
7. Wednesday, December 7

Ms. Simons moved to approve the meeting dates as discussed. Dr. Bernick seconded. The motion was approved unanimously.

- XII. Public Comment (This item is to receive comments, limited to three (3) minutes, on any issue and any discussion of those items. However, no action may be taken upon a matter raised under public comment period unless the matter itself has been specifically included on an agenda as an action item.)

No public comment.

- XIII. Adjournment

The meeting was adjourned at 1:50 p.m.

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.