

Northeast Michigan Regional Council on Aging
December 9, 2019 at 1:00 pm
NEMCSA Large Conference Room – Alpena

The meeting was called to order by President E. Corpe at 1:00 pm

Roll Call

R. Schulte, D. Huff, R. Matelski, T. Dutcher, M. Tappan, C. Proulx, D. Burdine, E. Howell, V. Ward, J. Mathis, M. Downs, D. Fay, C. Corwin, M. Hiller

Excused: E. Corpe, B. Kaye, V. Zygiel, C. Wilder, E. Ableidinger

Unexcused: J. Mathis, V. Ward

Guests: Ron Kaye as alternate for Barbara, Emil Bellenbaum, Mary Mitchell, Mrs. Schulte

AAA Staff: L. Sauer, C. McQuarrie, K. Robinette, B. Mainville, C. Glomski, B. Hawks, S. Gusler

Approval of Agenda – A motion was made by D. Huff with support from D. Burdine to approve the agenda as presented. Motion carried.

Approval of Minutes – A motion was made by D. Fay with support from M. Hiller to approve the minutes of October 28, 2019. Motion carried.

Nominating Committee - D. Fay reported Ann Lange has resigned as the Alpena Delegate. A motion was made by D. Fay with support from D. Huff to accept the resignation and send a letter of appreciation. Motion carried. Barbara Kaye has been reappointed as the Iosco Delegate. A motion was made by D. Fay with support from M. Hiller to accept the reappoint. Motion carried. The Presque Isle COA has reappointed Mitzi as Delegate. A motion was made by D. Fay with support from D. Burdine to accept the reappoint. Motion carried.

Speaker – Dave Bisgrove, Legal Services of Northern Michigan

Dave reported they have two legal offices; one in Alpena and one in Gaylord. The Alpena office recently moved one block away. He will get us a supply of updated brochures and business cards for our next meeting. He gave a brief overview of Legal Services of Northern Michigan. Grant funds they receive from the AAA allows them to provide services for persons age 60 and over. Services include providing legal advice, estate planning, domestic violence/divorce cases, wills, collection and other legal documents. They address whatever questions and issues come into the office. Debt collection activity has dropped recently. Erica Demstetter who was working on elder abuse cases through two separate grants, one for domestic violence and another for elder abuse, recently left. An employee in the Gaylord office will take on the task beginning in March. Dave shared information on the recent trends he's been seeing regarding four main topics: Quick Claim Deeds, Avoiding Probate, Ladybird Deeds and Land Contracts.

Quick Claim Deeds – He had a client who went to the township office to file something and was told she needed a quick claim deed. No explanation, she just needed one. Realtors have also suggested deeds. Situations like this have led to a lot of bad results from seniors making bad real estate deals. There is a lot of misinformation out there by individuals and on the Internet. Everyone does not need a quick claim deed. A Warranty Deed states that you have all the rights, except whatever reservations come with the property. The document must be recorded, and specific language included in the deed. A quick claim deed however, transfers everything stated in the deed to the other party listed. Sometimes a realtor will draw one up thinking the client will avoid estate recovery, etc. Typically, this is not the case. Once signed by all parties, the deed is documented and enforceable. A lot of them are just done wrong.

Avoiding Probate – The first question I ask is why do you want to avoid probate and how do you want to do it? Realistically, if you deed property to your child or several children, what happens if one of them goes bankrupt. Guess who can access that portion, the Bankruptcy Court. If one of the children doesn't pay their taxes, the IRS can come after the property. If you deed an interest to someone who's on SSI, disability, or any kind of assistance, it will be affected because it is used as a countable asset. The state will find out and use it when determining eligibility for assistance. If the mom deeds an interest to her daughter and her daughter is married to bum who files for divorce, he can claim the property was deeded to them as a couple and he is entitled to a portion of it. That argument doesn't typically get a lot of traction in Michigan, but people will try.

Ladybird Deeds – This type of deed conveys the persons interests to their children while retaining the right to live in the home, sell it, etc., while they are still alive. Michigan recognizes this type of deed as valid. This type of deed is useful to avoid an estate recovery lien on the property for Medicaid services. Currently that type of lien is not attached to the deed in Michigan, but that could change. Liens could apply to waiver and other Medicaid services. There are no restrictions on changes to the deed while the person is alive. They can revoke a Ladybird deed at any time. The worst thing the recipient can do after the deed owner dies is not fill out the form and report to DHS. Not doing so will cause problems.

Land Contracts – We are seeing a lot of home brewed forms. Some of these are not valid in Michigan. They have bad interest rates, no insurance, etc. Sometimes they can be corrected, but other times there's nothing we can do. Discussion followed.

M. Downs – What do you mean by home brewed, do it yourself? Dave – Yes, the document could very well be legal but is it Michigan specific? Can the buyer forfeit the contract, sue for money, or go to circuit court and file to foreclose? In Michigan, these things all must be spelled out in the document.

M. Downs – What about the booklet with the “do it yourself” wills? Dave – They're not bad. There are some things that aren't spelled out. In Michigan if you have kids and grandkids, the kids will each get 1/3 of the estate and the grandkids will get 1/6 if it is not specifically written otherwise. You can specify that certain heirs do not get money for reasons that are personal to you. There is no wrong answer when it comes to wills, whatever the person decides. The will in the booklet does not address specific bequests. In Michigan you have to attach a separate sheet in writing, signed by the person making the will. The will also must have a clause that says there is a list of bequeaths so you know to look for another document. That list wouldn't be enforceable unless everyone agrees.

C. Corwin – For elder abuse issues should you have a specified elder law attorney or a general attorney to represent the case? One is obviously specifically trained on elder law issues. Dave – Yes, lawyers are generally very competent to handle most legal documents and issues. There are those who have a special fund of knowledge when it comes to understanding Medicaid rules, Medicaid law for second marriages, Medicaid when there is a nuptial agreement, when there is a need for a trust, etc. Sometimes a specialty attorney is needed. Trusts can be dangerous and disqualify people for Medicaid exemptions. A trust is useful if you need one. It's likely you do if you have a lot of assets, own a business, have one or more special needs children, or a house or estate worth over \$1 million.

Director's Report

State budget – An agreement was reached last week between the governor and legislature, but it is not quite finalized. They are holding up the waiver increase of \$40.5 million which amounts to an extra 1000 slots and a 5% increase in the capitation rates. With all the delays, if the budget

is not resolved soon, we will have the slots and increased funds to spend in a shorter amount of time which could be difficult. If we can't fill the slots and spend the money, it could end up looking like we don't need it which will not look good to the legislators who supported the increase.

Federal Budget - The Continuing Resolution is set to expire on December 20th. There have been no updates. It's likely another continuing resolution will be issued. We are also working on the reauthorization of the Older Americans Act, which includes a 7% increase of funds over the next five years.

MI Choice Satisfaction Survey – The results are in from the survey conducted by MSU. We are happy with this year's positive results. MDHHS subcontracts with MSU to conduct a statewide survey. They only take a small client sampling per agency to see how participants feel about their services, care, etc. We had 120 eligible participants, they only surveyed 30. The telephone survey covered 11 domains. Our agency does a full survey with both waiver and care management programs to get more solid numbers.

Older Michiganians Day – The next one is scheduled for May 12, 2020 at the Capitol in Lansing. Please plan to join us. It's an important day to hear from legislators as well as other informative presentations.

MSAC – We are still in need of a representative for this monthly meeting in Lansing. Conference call meetings are also an option.

Area Agencies on Aging Association of Michigan Conference – This year's conference is scheduled for April 21-22 at the Lansing Center. New Director, Dave LaLumia is doing a good job.

Escheats Respite – The Escheats is a pot of money from uncashed checks from BCBS designated for AAAs to use for respite services. In 2020 we expect that funding to decrease by \$600,000. It's currently at \$1.6 million. We will be advocating for a supplemental bill to cover the loss. Dan – The amount of funds goes up and down every year. It just got really low this year.

State Advisory Council Report – The latest report was distributed. We are thankful to Chuck and the committee for all their work in providing the document and all the great information.

Census – We really need everyone to complete the census. Funding for programs is determined by the numbers. \$1,800 in federal funding will be lost on each person that doesn't report. That trickles down to state funds since most state allocations are based on census data. So please help educate your communities on the importance of participating.

Michigan Health Policy Forum - Laurie, Gina and Jenna attended the forum in Lansing last month. The focus was on Michigan's Aging Population with presentations from the University of Michigan Institute for Health Care Policy Innovation, Representative Angela Witwer, AARP, Impart Alliance, St. Mary Hospital, and AASA. We learned the average life expectancy is now 79. Our 80+ client base is growing. 1.3 million caregivers are providing 1.2 million hours of care which is equal to \$14.5 billion in uncompensated care annually. If diabetes is decreased by 1% it will save \$32.5 million and if nursing home placement is delayed by 1%, it saves \$3.5 million in the general fund. It also contributes to Michigan's goal to become an Age Friendly State.

AASA Goals – AASA's goals include; making AAAs a household name, address the care worker shortage, reduce wait lists, prioritize those being released from hospitals, improve information and assistance services by creating a central access hub and central registry for direct care workers, increase public and private partnerships, and focus on dementia. Currently 28% of people with dementia live alone.

Region 9er Meeting – We have scheduled a AAA/COA Directors meeting for Thursday, December 19th. So far, the number attending is low so we're not sure if it will happen.

Social Security Increase – You will see an increase of 1.6% in your Social Security checks for 2020. Of course, this will be offset by an increase in Medicare deductibles and coinsurance.

Mileage Sheet – We have a revised form that eliminates the need for odometer readings. You just need to report your total miles.

Program Reports

Legal Services Board – No report.

Region 9 Directors Report – Merianne had nothing to report. She will not be able to attend the scheduled COA Directors meeting next week but will get a report from one of the other directors for our next meeting.

Long Term Care Ombudsman Program Report - Sara distributed a copy of the “No Excuse for Elder Abuse” brochure put out by the Elder Abuse Task Force. She has a large supply if you want more for distribution in your counties. Laurie – Our new Attorney General is very aggressive and supportive of stopping elder abuse. Sara reported the Elder Abuse Task Force is taking on long standing cases from every region in the state. She gave examples of cases that were turned around successfully. If you have any information, concerns, etc. for the task force, Sara will pass them along. A public guardian was recently arrested in Presque Isle county, no further details have been released. Discussion followed on the function and need in some cases for a guardian.

D. Fay - Are they sending the brochures to the COAs? Laurie – We will distribute a supply to each one at the Directors meeting next week or by mail.

Nursing Home Compare Website – Nursing homes are now tagged with a red hand if they have abuse or neglect substantiated by LARA. Please be advised that the survey information on the website is not always current. For the most recent survey information to the LARA SPOTS public portal at: https://spots_public.apps.lara.state.mi.us/#/. There is an issue with law enforcement not being contacted when instances of abuse in a nursing home are reported. LARA doesn't follow-up with law enforcement, they assume it is done. The nursing home does their own investigation.

PREVNT – The AAA received a PREVNT grant for 2020 and will work to train law enforcement in the region on dementia and various diseases and how to communicate with that population. Nancy Szejbach was recently hired to assist with this project. A portion of the training will cover the rules of nursing homes. A nursing home cannot prevent a patient from calling 9-1-1. Law enforcement must actually investigate the call and turn the findings in to local prosecutors rather than just talking to nursing home staff. Our goal is for law enforcement to understand the differences between dementia, delirium, mental illness, etc. Discussion followed.

M. Hiller – Will you include 9-1-1 dispatchers? Laurie – We may consider that for next year. Sara has to develop the training first. We want to make sure we accomplish the grant objectives for this grant first.

C. Proulx – Introduced her friend Mary Mitchell who is the only caregiver of her 95-year-old husband. She's here today to gather information.

Planning and Volunteer Coordinator Report – Kitty reported that as of Saturday, open enrollment for Medicare Part D has ended. It was a challenging season due to a new Medicare planning tool which was launched before it was ready. The counselors pushed through and were able to meet with 2,551 clients saving \$2,240,000. This year there were 30 prescription plans to choose from and 19 advantage plans. There was some concern about people who enrolled themselves because Medicare put the plans in premium-cost order instead of including the drugs. We expect to hear about issues once plans start in 2020.

Social Security - The Social Security Part B Premium will increase from \$135.50 a month to \$144.60 and the Part B deductible will increase from \$185 to \$198. Part A hospital coverage will increase from \$1,364 to \$1,408. These are some substantial increases.

New to Medicare - Kitty will be working with counselors to schedule “New to Medicare” presentations for 2020 in every county. This is valuable information for those becoming eligible for Medicare and will meet the need for new beneficiaries.

Recruitment - A region-wide media campaign is being planned for in March to recruit more counselors for the new counselor training scheduled for July 29-31, 2020 at the AAA in Alpena.

New Scams – Be wary of calls from people representing Medicare or Social Security. They say you need a new card. One couple in our region had their Social Security card compromised which Kitty reported to Medicare. Please don’t give any information over the phone, it’s best not to answer or hang up. Laurie – Some phones now indicate that the call is a potential scam.

MMAAP, Inc. – The state MMAAP office has requested examples of MMAAP cases we handled to express to legislators how important this program is. Our region 9 goal is to collect one story from each counselor giving us 48 stories to send in. This will be the first time that any region has completely covered all the counselors and counties.

Special Projects Coordinator Report – Brooke reported her Caregiver Wellness Conference will take place in April. She had twelve Kinship requests helping 17 individual youth in four counties. She is also in the process of creating a Kinship Resource Manual. If you have anything to add as a resource for your county, please let her know. The state is revising the standards for Adult Day Services. She is working on adult day center best practices for staff that work with the service for completion sometime in the spring or summer. She has developed a presentation on the various evidence-based programs available to share with the COA Directors at the December meeting. The Developing Dementia Dexterity grant continues. She has conducted a presentation on brain health in most of our counties. If you would like a presentation conducted in your county, please call her. She is also a Certified Dementia Specialist. If you have any dementia caregivers in need of one on one consultations contact Brooke. The grant is available through September 2020.

C. Proulx - Do you have a summary or something I can get on your brain health presentation?
Brooke – Yes, I will get something to you.

Advocacy Reports

MSAC – No report.

State Advisory Council – Chuck reported the State Advisory Council on Aging Report focused on three significant issues facing older adults across the state: Direct Care Workforce, Elder Abuse Prevention and Transportation.

State Updates

State Commission on Aging – No report.

Aging and Adult Services Agency (AASA) – Dan Doezema reported the adult day standards will take a while to revise. AASA is already working on the 2021 Area Plan structure. The plan will be pretty streamlined with very little changes. An executive summary and minority information will be added.

Local Updates From Council Members

C. Corwin – There is a new program called the Society of Certified Senior Advisors. They educate and certify professionals who work with seniors. The Certified Senior Advisor (CSA) credential applies to professionals who can demonstrate their competence and knowledge of working with older adults into their professional practices. Cost for the live class and exam bundle is \$1,290, the same online bundle costs \$1,190 and \$400 for certification only. Michigan has a network of 98 CSAs in the state with 3 in Roscommon County. CSAs typically act as social workers to provide guidance for seniors with whatever they may need. Services provided include; referral, social services, senior housing, counseling, senior services, healthcare services, senior transition, geriatric care and management and senior placement. Chuck has personal experience as a direct care worker and knows how difficult the job is and how horribly under-paid workers are.

Visitors - Visitors present today include Mrs. Schulte and Emil Bellenbaum from Roscommon county who is interested in COA activities, where the funding comes from and how it all works.

Action Items

MSAC Representative – Addressed in the Director's Report.

Question or Comments

None

Adjourn

A motion was made by D. Huff with support from M. Hiller to adjourn the meeting. Motion carried. The meeting was adjourned at 2:47pm. by Vice Chair C. Proulx.