



# TACC Triple-A Council of California

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## GENERAL MEETING MINUTES

1600 K Street, Sacramento CA (1<sup>st</sup> Floor Conference Rooms A & B)

March 9-10, 2005

I. Call to Order: The general meeting of the Triple A Council of California (TACC) was called to order by President William Hollabaugh at 1:30 pm, March 9, 2005

II. Pledge of Allegiance

III. Roll Call: – A quorum was established. Those present were:

- |          |                       |          |                             |
|----------|-----------------------|----------|-----------------------------|
| ✓ PSA 1  | Victoria Onstine      | ✓ PSA 18 | Donald Hunt                 |
| PSA 2    | Ron Steves            | ✓ PSA 19 | Patricia Wilson             |
| ✓ PSA 3  | Sharon Thrall         | ✓ PSA 20 | David Wilder                |
| ✓ PSA 4  | Don Mabon             | ✓ PSA 21 | Barbara Affolter            |
| ✓ PSA 5  | Joanne Weber          | ✓ PSA 22 | Dee Erman                   |
| ✓ PSA 6  | Bill Hollabaugh, Alt. | ✓ PSA 23 | Jack Duff, Alt.             |
| PSA 7    | Gerald Sharrock       | PSA 24   | Pat Dorsey                  |
| ✓ PSA 8  | Arline Elliott        | PSA 25   | Ed Woods                    |
| PSA 9    | Charles McLain        | PSA 26   | Marilyn Johnson             |
| ✓ PSA 10 | Anne Mack             | ✓ PSA 26 | Past President Roberta King |
| PSA 11   | Dean Morris           | PSA 27   | Bob Marshall                |
| ✓ PSA 12 | Havard Staggs, V.P.   | ✓ PSA 28 | Richard Lundin              |
| ✓ PSA 12 | Joan Bowen            | PSA 29   | Graham Rankin               |
| ✓ PSA 13 | Bud Winslow           | PSA 30   | Mary Van Loon               |
| PSA 14   | Marlo June            | ✓ PSA 31 | Joe Cox                     |
| ✓ PSA 15 | Lonnie Tealer         | PSA 32   | Nancy Dolton- excused       |
| ✓ PSA 16 | Kathryn Williams      | PSA 33   | Margaret Mooney             |
| ✓ PSA 17 | Colleen McLean        |          |                             |

IV. Introductions, Announcements:

Also present were Mildred Johnstone Alt. PSA 3, Vernon Jones PSA 7, Denise Welch, new Vice-Chair of PSA 22, and two guests: Bob McLean, husband of Colleen McLean, PSA 17; and Lee Thrall, husband of Sharon Thrall, PSA 3.

Roberta King PSA 26 gave contact information re: stopping credit card solicitations per our Financial Elder Abuse presentation:

Opt Out Direct Marketing (pre-approved credit card offers): 1 888 567-8688

Direct Marketing Association:

Mail Preference Service P.O. Box 643, Carmel, NY 10512

Telephone Preference Service P.O. Box 1599, Carmel, NY 10512

ADVIO Systems Inc, Consumer Association P.O. Box 349, Windsor, CT 06095

Include your name, address, phone number, signature, date.

It will take up to 3 months for a response.

**ADVISORY COUNCIL REPRESENTING CALIFORNIA'S 33 AREA AGENCIES ON AGING  
ADVOCATING FOR SERVICES TO OVER 4 MILLION SENIORS IN CALIFORNIA**

- V. Motion to approve the Agenda: Wilder/Elliott with the following amendments Unanimous.  
 Report from S. Fitzpatrick, CCoA Executive Director moved to March 11 am.  
 Report from L. Connoly, Interim Director CDA, scheduled for today, March 10.  
 Presentation by S. Steenhausen moved to 8:30 am Thursday, Mar 11.  
 Discussion on bylaws changes moved to 2:00 pm today, March 10.
- VI. Motion to Approve Minutes of January 7, 2005: Approved with one correction:  
 Page 4, XIV. Older Adult Traffic & Safety Task Force Report, Line 1: KRED is actually KOED.  
 Wilder/King 21 Yes, 0 No, 1 Abstention (Lonnie Tealer)
- VII. Correspondence:  
 California Seniors Coalition: Request for membership dues, \$50/year.  
 Motion to pay dues and request a copy of the bylaws for TACC education: Wilder.  
 Discussion: Function of the organization is to review state and federal legislation.  
 The organization meets in Sacramento. Jack Horak attended in past representing TACC.  
 Decision: TACC Secretary write a letter to the CSC acknowledging receipt of the letter, and asking for a copy of the organization's bylaws. TACC to discuss issue again at next meeting.
- VIII. Financial Report and 2004-2005 Budget Review– Joe Cox Treasurer  
 Report deferred to next meeting when financial information will be available.  
 Discussion of California Foundation account status. TACC has not received a statement as of this date. Barbara Affolter to convey a message to the Foundation re: TACC is requesting a current statement of the account status along with a list of recent contributors.  
 Discussion of expenses for the C4A conference in April. TACC will be meeting Monday afternoon, 4/25. The conference will take place Tuesday through Thursday, 4/26-28/05.  
 TACC will cover two nights lodging and transportation costs. Members are encouraged to apply for a C4A scholarship for the registration.
- IX. Laura Connoly, CDA Interim Director Report-  
 Major issues:
- 1) Medicare Part D, the biggest change in the Medicare benefit since its inception.
    - Most beneficiaries will probably ignore the new benefit for the first year due to it's complexity and the premium.
    - The largest impact will be on the duo-insured, Medicare/Medicaid. For California, the change is significant due to our Medicaid (Medi-Cal) benefit is more generous than other states. There are approximately 120 outstanding implementation/impact questions to CMS still unanswered. We are w/in 6 mos of the implementation phase. January 1, 2006, all duo/insured beneficiaries will lose their pharmaceutical coverage.
    - CMS' plan for publicizing this change is due out in mid-April, the training information will be available in May, and CDA's goal is to have HICAP trained by the end of July.
    - Employers and Medi-Gap insurance companies must inform retired employees and insurance enrollees of any changes to their coverage in July 2005.
    - All MediCare beneficiaries will be notified in October what plan they will be auto-enrolled in, and will have until December 2005 to choose a "better plan" more suited to their needs.
    - All Medicare discount cards will discontinue as of December 31, 2005, and any funds remaining in those accounts will be gone.
    - There is some monitoring information available on the CMS website and on [www.cahealthadvocates.org](http://www.cahealthadvocates.org)

Laura Connoly, CDA Interim Director Report- cont.

2) Adult Day Health Care program changes to Waiver services.

The latest news is California's change does not have to be a waiver, CDA can create a format, and are in the process of writing ideas to and from CMS. The result will be a re-designed ADHC program and process.

Status of the California Department of Aging:

- State Plan: This year's state planning process has been broadened beyond the Older Americans Act segment to encompass the entire department and all the "silos". CDA is working in the edits for final review, then it will go to the AAA's and to CCoA.
- CPR proposal to move CDA to the Department of Social Services:  
An alternate recommendation similar to Assemblyperson Berg's has gone to Secretary Belshae and sent on to Governor Swartzenegger. For this year, the only departments being focused on are the Department of Corrections and the Department of Finance.
- Physical location: The building at 1600 K Street has a new owner who wants to remodel the building. The rent will significantly increase, beyond the State's budget. The CDA will probably move to the Natomas section north of Sacramento.

X. Proposed Bylaws Amendments

*#1 Timeline for Officer Nominations and Annual Election –*

Motion to approve the proposed Bylaws amendments to Article IV, Section 2A, 2B, 2C, and Article V, Section 1B, Subsections 1, 2, &3: Staggs/Wilder

Discussion: Clarification of the intended timeline to facilitate the annual election.

Election is scheduled for the Annual meeting, which is the meeting closest to July 1.

Question called by Winslow: Unanimous. Approval of motion: Unanimous

*#2 Procedure for Filling Vacancies on Nominating Committee*

Motion to approve the proposed bylaws amendments to Article V, Section 1B. Subsection 4: Staggs/Wilder

Discussion: Clarification of need for proposed process.

Question called by Williams: Unanimous. Approval of motion: Unanimous

Discussion re: composition of current Nominating Committee. This year's committee consists of McLain, Mooney, and Wilder. Question of whether these members are still available.

Plan: Chair, W. Hollabaugh, to canvass the two members not present. If they are unable to continue, the Executive Committee can select new members before the next meeting.

Text of amended bylaws sections follows:

## **ARTICLE IV OFFICERS**

### **Section 2. Election of Officers:**

- A. The Board shall elect the officers from its membership *at the annual meeting*.
- B. Nominations for these offices shall be made by the Nominating Committee *and delivered by postal mail or email to the total all Board members at the annual Meeting or such other meeting designated by the Executive Committee least 30 days prior to the Annual Meeting (or other election meeting)*. ~~The consent of the nominee shall have been obtained prior to the nomination.~~ Additional nominations may be made by the Directors at this meeting. *The consent of each nominee shall have been obtained prior to the nomination.*
- C. ~~The election of officers shall take place at the annual meeting. Additional nominations may be made by the Directors at this meeting.~~ Installation of officers shall take place at the annual meeting.

## **ARTICLE V COMMITTEES**

### **Section 1. Standing Committees:**

#### **Standing committees of the Board shall be as follows:**

- B. Nominating Committee:
  - 1. The Nominating Committee shall consist of three (3) Directors to be elected in the same way as are the officers at the annual meeting.
  - ~~2. The Nominating Committee shall present a slate of nominations for officers of the Board and members of the Nominating Committee at the March meeting.~~
  - ~~3. The slate of officers and Nominating Committee shall be mailed to all Directors at least thirty (30) days prior to the election meeting.~~
  - 2. *The Nominating Committee shall present a slate of nominations for Officers of the Board and members of the new Nominating Committee in accordance with the provisions of Article IV, Section 2.*
  - 3. *Vacancies in the Nominating Committee occurring between annual elections shall be filled by the Executive Committee.*

XI. Presentation on IHSS– Bernadette Lynch and Tony Sauer, PA Directors, and Karen Keeslar, CAPA Lobbyist

Background on IHSS: In 1950's – Old Age Securities and Aid to Attendant Care  
1973 – IHSS became a State and County program, with the funds being sent directly to the caregivers by the state. IHSS is consumer directed, which is difficult for the frail and elderly. It is also a social program, not a medical model.  
Maximum hours authorized: 283/month with rare exceptions, average 9 hrs/day for 30 days.  
Funding for personal care services has drawn on federal monies since 1993.  
Exceptions: "residual services" by spouse, parents of minor children, protective supervision.  
Recent threatened cuts to Residual Services resulted in governor obtaining a federal waiver, "Independence Plus Waiver" to restore funds to these services. Now 99% have a 50% share paid by federal dollars and the remaining 1% is paid with 65% state and 35% County dollars.

A major threat to IHSS is cuts to the state budget affecting wages.

Hourly costs going up with Public Authority negotiated raises. 20 counties still at minimum wage. 11 counties raised wages since June of last year.

16 counties have explicit language in their contracts that says if the state dollars decrease, wages decrease.

6 counties have "re-opener language" stating if state dollars decrease the Public Authority and the union must talk.

6 counties have no language at all. Those Boards of Supervisors must honor the contracts until they expire.

A Public Authority Advisory Council Conference is scheduled for June 13-14, 2005 to discuss these and other issues.

XII. Presentation – "Future Directions for Aging Services in California" Sarah Steenhausen, Asst. Secretary of Long Term Care Programs, California Health and Human Services Agency

Olmsted issues are a primary focus. Updates can be found at [www.chhs.ca.gov](http://www.chhs.ca.gov), select the link "Olmsted Update." There are a number of different projects with little to no coordination between them. The newly revived Olmsted Subcommittee is to address this coordination. The Department of Aging is reviewing legislative and budget issues

Q. Where did the latest "surge" in interest come from? SP 1 in 2004 was to adopt the Olmsted Decision. Senator Wesley Chesboro picked up this bill, added a study to it. The Governor vetoed the bill, and came back with an executive order that was this legislation word for word.

A. The Governor wanted an Olmsted Committee, but probably thought parts of the legislation may not be feasible and that a committee did not need to be set up by state statute. Peggy Collins with Senator Chesboro's office is on the Committee.

Q. Who are the other members of the Committee?

A. There are 30 members listed on the web site representing all communities affected.

Q. Transportation is vital. Would like to see it stay in the forefront.

A. I agree. I attended the Mobility Summit and will pull in the departments every 2 months.

- Q. The State Independent Living Council has contract/grant opportunities out. Can we get more information on this?
- A. You will find a summary of all the information I have compiled to date on the web site, all small grant opportunities, projects, etc. An information distribution list has been started. If anyone wants to be on it or knows someone, let S. Steenhausen know.

Comment: As you proceed with the committee and identify areas of inaccessibility, please document these issues. In forums, accessibility issues seem to get tabled as "there is nothing we can do about it."

- Q. What will the interrelationship be between the various groups such as Long Range Strategic Plan on Aging and White House Conference on Aging?
- A. The Committee will work with all groups and identify specific projects we can do together and assure a non-duplication of efforts.
- Q. Will you continue to research senior legislation upon request?
- A. Will be difficult to do as completely as in the past. Will work with Alison Ruff. Elaine Alquist, the chair of the Sub-Committee on Aging is a resource (916) 323-8436 Robert Mc Glaughlin, new staff to the Sub-Committee on Aging may be available.
- Q. After bills have been passed into law, there is no system to monitor whether the laws are actually carried out.
- A. This is true. All persons need to be vigilant and let the State legislature know.
- Q. Even if Olmsted laws are passed, there is concern the regulatory bodies will not respond to complaints.
- A. DHS is required to have people respond to complaints. Call and report on a case by case basis.
- Q. Where is the California Performance Review headed?
- A. It has not been forgotten, however there are many pressing priorities right now taking the front stage.

Contact information for Sarah Steenhausen, Assistant Secretary, Long-Term Care:

1600 9<sup>th</sup> Street, Room 460 (916) 651-8065  
Sacramento, CA 95814 (916) 654-3343 FAX  
[ssteenha@chhs.ca.gov](mailto:ssteenha@chhs.ca.gov)

## Committee Reports

Legislation Committee – Chair: Havard Staggs

The legislation committee recommends support of 8 Assembly bills and 1 Resolution.

AB179 Bermudez – RCFE's statement regarding elder abuse

An amendment was passed yesterday, 3/11/05, containing minor technical changes.

Motion: Staggs/Winslow Unanimous

AB197 Umberg – Sale of Mobil home parks

Motion: Lundin/Staggs Discussion: Mobile home residents seldom get PG&E credits because they don't own the space. The credit is going to the owner of the park. Is there something in this legislation to assure credit goes to the resident? A- A resident can request the PG&E be sub metered to show what percentage of the space rent goes to the PG&E bill, and prove eligibility in that manner.

Call the Question: Winslow Unanimous

AB247 Walters – Tax credit for long-term health care

Motion: Staggs/Mack Discussion: Does this bill help children paying for their parents? Yes.

Call the Question: Cox Unanimous

AB 298 Berg – Extend caregiver tax credit

Motion Staggs/Mack Discussion: This bill extends a sunset provision from 2005 to 2011

Call the Question: Williams Unanimous

AB 396 Lieber – Closing of Mobile Home Parks

Motion: Staggs/Mack Unanimous

AB 704 Dymally – Licensing of geriatric care assistants

Motion: Staggs/Jones Unanimous

AB 915 Canciamilla – increased penalties for crimes against elders.

Motion: Staggs/Elliott Discussion: would add another 1-3 years to existing penalties if the crimes consist of a deceptive business practice, fraud, trickery, or deceit against elders.

Call the Question: Mack Unanimous

AB1605 Wolk & Berg Mandated Reporters of Financial Abuse

Motion: Staggs/Mack Discussion: TACC supported a similar legislation last year.

Banking industry is in opposition citing confidentiality issues.

Call the Question: Lundin Unanimous

A companion bill SB 1018, also a CSL proposal, will be considered in April. Two letters reviewed from Contra Costa County re: these two bills. The Legislation Committee recommends members strongly urge local councils to write similar letters of support.

Motion: Staggs/Mack Unanimous

ACR 8 Dymally – Elder and Dependent Adult Abuse Awareness Month in May

Motion: Staggs/Elliott Discussion: This is a repeat of last year's resolution with provision to have May be designated every year ongoing. Such a designation brings attention and education to public awareness, thereby encouraging courts to take individual cases seriously.

Call the Question: Cox 18 Yes 4 No Vote for approval: Unanimous

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Committee Reports cont.

SB910 LRSPA Monitoring Update Committee - Chair: Don Hunt

All Task Team reports are on the CCoA website. The final report to the Legislature is due in May, and will also be on the website.

Some Task Teams will continue. Almost all Teams meet by conference call.

Transportation Task Team will continue and move into developing the Mobility Councils.

Peter Steinert is setting up the next six meetings in advance. PSA's can contact David Wilder directly for updates on meeting times and contact information.

Housing Task Team – Will continue. Area Agencies have a mandate from the Older American's Act Title 42, Chapter 35, III, Part A Sec. 3023 a 6 Q i to have a focus on housing.

Older California Act Implementation Committee – Chair: Roberta King

The committee has not met. Committee will wait until final CPR recommendations are published and formulate what response is needed to support the Older Californian's Act.

White House Conference on Aging Committee – Chair: Bill Hollabaugh

Has not formally met. Reviewed discussion from WHCoA Solutions Forum. Discussion re: what will be a workable process for selecting delegates. CCoA is working on a recommendation to the Governor over the next 3 weeks. One idea is to involve the AAA's. Plans are still to have all delegates travel to Washington DC, and possibly broadcast by satellite TV so more individuals can observe.

Date has changed to October 23-25, 2005

XIII. Older Adult Traffic & Safety Task Force Report by Roberta King PSA 26

The "Roadwise" CD is available from the AAA Auto Club for \$5-\$15 depending on the area. It consists of a self test that has many elements of the three-tiered driving test and gives the participant a score.

CHP is continuing to air "The Golden Road" on Television with tips for seniors and family.

DMV web site features 5 sample driving tests and has the answers.

XIV. California Senior Legislature Report – Anne Mack, Hav Staggs, Dee Erman

CSL met with the Legislature in January. Nine out of the ten top CSL proposals were authored. TACC will review these in the April meeting. Hav Staggs will make a summary page for the April meeting with the current status.

The Elder Abuse Postage Stamp proposal was picked up; however the first opening in the schedule is three years out.

JRC report: Chair Joe Murphy resigned 2/9/05, and will continue with CSL as a general member for PSA 11. CSL bylaws address how to terminate a chair, but not how to replace one. Sandi Fitzpatrick, CCoA ED, led a discussion with Roberts Rules of Order and determined the Vice Chair to be the Interim Chair. Helen Karr selected as Interim Chair. Election will be held in April.

Office space located for CSL at 1020 N Street, third floor. CSL will be under the Controller's Office. Details of logistics, staffing, and equipment needs continue to be discussed.

XV. California Commission on Aging Report – Nancy Dolton

Deferred until next meeting.



XVI. Sandi Fitzpatrick, Executive Director, CCoA Report

*Financial report* – a formal report is forthcoming. In general TACC financials are in line with no unusual expenditures.

*Personnel* – CCoA now has a senior community employment person through AARP.

*Facilities relocation*: Sometime between June and September the office is scheduled to move to the Natomes Area. Discussion of availability of lodging and transportation. Plans may be to rent office space in Sacramento until these details are worked out.

CSL archives will be moved directly to their new office. CSL transition has a June 2006 deadline.

*White House Conference on Aging* – review of delegate composition. CCoA will be the lead agency for California for delegate selection, training, and developing position papers.

CCoA will send a list of the participants in the Solutions forum to TACC members.

*C4A Fall Conference* scheduled for November 15-18, 2005

XVII. Reports from the following Planning and Service Areas (PSAs)

PSA 20 (Intergenerational Committee working on a senior volunteer reading program with Head Start.);

PSA 8 (Have created two new bulletins, Joint Housing Taskforce Uniform Building Codes, Housing Resource Guide for seniors and disabled);

PSA 7 (Presented a 1 hour stroke campaign video on local TV);

PSA 22 (Created booklets with local transportation options.)

PSA 1 (Created an aging and disability resource guide)

XIX. Public Comments - (comments provided earlier in this meeting.)

TACC located Articles of Incorporation. The Statement of Incorporation has been filed.

Discussion of lack of required electronic format of all notes for the CCoA Forum. Mobility Summit did provide electronic format when requested. Will be posted on TACC website. D.

Wilder states will be sending a letter to CCoA expressing complaint of discrimination per the Bagley-Keene Act.

11:40 Adjourn

Respectfully Submitted,

Victoria Onstine Recording Secretary

**Next Meetings:**

**April 25-28, 2005**

**July 27-28, 2005**

**September 28-29, 2005**

**November 15-18, 2005**

**C4A Coordinated Leadership Conference**

**Ontario, CA**

**Sacramento, CA**

**Sacramento, CA**

**Northern CA, Location TBA**