

**Minutes of the Meeting
of the Illinois Long Term Care Council
March 22, 2011**

Attending:

Council Members Present: Lee Beneze (Co-Chair), Sally Petrone, Ben Brown, John Hosteny, Myrtle Klauer, Matt Hartman, Dave Sutor, Margaret Niederer, Phylis Mitzen, Tony DelGiorno, and Ann Ford.

Department of Public Health: Jon Siegel

Department of Healthcare and Family Services: Sharon Woods

Illinois State Police: Sgt. Todd Trautvetter

Illinois Long Term Care Ombudsman Program: Neyna Johnson

AARP: Absent

Department of Veterans' Affairs: Doree Vetter, representing Gwenn Dielhl

Emily Byrd, representing Pam Edelmann-Sall

Tami Lynn Wacker, Representing the Illinois Association of Area Agencies

Absent: Eva Hall

Call to Order and Initial Matters:

The Long Term Care Council was called to order at 10:02 a.m. by Co-chair Lee Beneze. The meeting was held by conference call and at 130 West Mason, Springfield, Illinois.

The first order of business was a round of introductions. There was a quorum for the meeting. The Co-chair gave a brief preview of the agenda. The January 25, 2011, meeting minutes were approved (Klauer/Brown), with corrections noted. New members were introduced and welcomed. Everyone was reminded of the need to review, complete and sign the required ethics training certification form.

State Agency Reports:

Illinois Department of Public Health: Representing the Illinois Department of Public Health (IDPH), Jon Siegel supervises the Quality Review Section. He reported on the activities of his section. He stated that IDPH needed more attorneys, as more "tags" were being written. As a result of the implementation of SB 326, more staff is being hired, but it may take up to a year before staff are trained and assigned. He also reported that several IDPH rulemaking packages were still progressing, and should soon be received by the Public Health Facilities Advisory Board.

Illinois Department of Healthcare and Family Services: Sharon Woods' reported no changes in Supportive Living facilities; the count remains at 123. The dementia pilot project has 5 applicants: North Aurora, Effingham, Rantoul, Chicago and Decatur. Two are current SLFs.

One has a dementia wing, one is a new construction, another is an Assisted Living facility, and the final one is currently a vacant building.

Sharon told the members that the DHFS rate group report has been drafted but never released.

Sharon reported on the DRA implementation rulemaking, which would alter Medicaid eligibility and "look back" periods. She said that the rulemaking had gone to Second Notice, and that she hoped that the rulemaking would be considered by the full Joint Committee on Administrative Rules on April 12th.

State Long Term Care Ombudsman Program: Sally Petrone reported on the activities of the State Long Term Care Ombudsmen Program. There had been a meeting of the Regional Ombudsmen in Bloomington on March 16th. Speakers from the Illinois State Police and the PAS/ISC agency presented. In PSAs 6 and 9, new Regional Ombudsman had been hired.

She reported that an ombudsman committee has been working on revising and updating the training curriculum manual.

Sally reported that the Office of the Attorney General held its 27th Operation Guardian sweep a few days previously. The Long Term Care Ombudsman Program has participated in 23 sweeps. The purpose of the AG's sweeps is to discover any resident/staff person with an outstanding warrant, and, if permitted, remove them from the facility. The ombudsmen have picked up many complaints/problems during the sweeps. The Attorney General's team has sought ombudsmen participation during the sweeps.

Sally reported on no increase in ombudsman volunteers, due to limited funding. John Hosteny said that his group's RSVP program might be helpful and that he would be willing to meet with the State Ombudsman on this issue. Margaret Niederer said that there should be a different mindset, toward more positive about volunteer management. She suggested that there be a recruitment and retention strategy for Long Term Care Ombudsman Program volunteers in each region.

Other Reports:

Neyna Johnson gave a report on the status and activities of the MFP program, and promised to send a detailed report to the membership.

No report was given by Sgt. Trautvetter of the Illinois State Police.

Doree Vetter of the Department of Veterans' Affairs gave a brief report. She stated that there would be a new 200 bed VA facility on the northwest side of Chicago. It was hoped that it would open in 2014.

Old Business:

Co-chair Beneze talked about Council membership recruitment and advised members to submit nominations to the Director of the Department on Aging for consideration.

The Council membership list was last updated on the IDoA website on January, 2011. With several new members having recently joined, it was suggested that the on-line list and the address list for e-mailing be updated.

The next Council public forum will be held during the 25th Annual Elder Rights Conference. The Conference will be held at the Westin in downtown Chicago, on July 5-8.

Co-chair Beneze reported that there had been no response from Director Johnson on the Council's request for \$4,000 for Council activities. The receipt of any financial backing will likely depend on the budget outcome and/or the amount of proceeds from the bed tax. Beneze would continue to press the issue.

The Co-chair requested help in drafting a letter to the Illinois Department of Public Health about improving their management information systems to explain the needs of consumers of the information emerged. Tami Wacker offered to research and prepare a first draft of the letter.

In December, the Long Term Care Council and the testimonies from the December Public Forum were sent to the IDoA webmaster to be posted on the Council's portion of the Department's website. The difficulty involved in getting the material posted was explained, but the Co-chair said that he was certain that the material would be posted soon after the required forms are submitted.

In answer to a question by Margaret Niederer, Co-chair Beneze said that he had mailed "thank you" messages to those persons who had testified and submitted written testimonies for the Public Forum.

Legislation:

The Council then turned to specific items of pending legislation. After extensive discussion of various pending pieces of legislation, the Council took the following legislative positions:

Support:

HB 2020 (elder abuse case continues when client becomes resident) (DelGiorno/Ford)
SB 0145/HB 1096 (appointment of infection control professional) (Brown/Wacker)
HB 1689 (penalties increases for financial exploitation) (Wacker/DelGiorno)
SB 0144 (no Social Security offset on unemployment) (Wacker/Ford)
HB 3635 (bar on passing on bed tax to residents) (Wacker/DelGiorno)
HB 3134 (IDPH to create Spanish language DNR) (Brown/Wacker)

Oppose:

SB 1877 (repeal right of health care agent to seek medical information on principal before incapacity) (DelGiorno/Sutor)

SB 1353 (transferring the Ombudsman Program to the AG's office) (Ford/Wacker)

HB 1712 (creates "excluded powers" in Power of Attorney Act) (Niederer/Sutor)

Finally, no action was taken, or action was deferred, on the following bills:

SB 0103 (PNA increase)--bill being rewritten

SB 1667 (bed tax reduction)--bill apparently will die in committee--motion to defer made by Klauer/Wacker and adopted

HB 1535 (posting on Web criminal records)--bill being rewritten--Sgt. Trautvetter will make a report on background checks at the next meeting

HB 3603 (creates Family Trust Board for disabled person's trust accounts)

The Council further decided that, if later modified revised language is submitted on these bills, the revised language will be given consideration.

The discussion of SB1353 (the transfer the Long Term care Ombudsman Program to the Attorney General's Office) sparked a discussion of the larger issues. It was noted that Senator Schoenberg has introduced similar bills in the past two or three legislative sessions. The motion to oppose this bill (Ford/Wacker) was made and adopted.

There was a motion (Mitzen/Ford) that the Council take a more nuanced stance; that the Council create a special committee develop a "white paper" about the independence of the LTCOP, including addressing the issues of conflicts of interests, adequate funding, increasing the visibility, and enhancing the effectiveness of the program. The motion was adopted.

The special committee was appointed: Sally Petrone, Phyllis Mitzen, and Margaret Niederer were appointed as the drafting committee.

Future meetings:

The next scheduled meetings of the Council are set for June 21st and October 4th.

New Business:

Election of Co-chair:

An election to fill the Co-chair vacancy will be held at the next meeting. Members were reminded that Ben Brown and John Hosteny are the nominating committee members. All interested persons must submit their interest in being a candidate to the Nominating Committee.

Other Future Items for Discussion:

Margaret Niederer recommended that the next meeting take up the issues of: identified offenders, the promotion of pioneer practices, and the White Paper of the Ombudsman Program is revisiting the stated goals of the Council, procuring and looking at other state agency reports.

The meeting was adjourned at 2:20 p.m.

Submitted by Neyna Johnson.