

**Commonwealth Council on Aging
MINUTES**

**Virginia Department for Aging and Rehabilitative Services
8004 Franklin Farm Drive
Henrico, VA 23229**

**July 17, 2024
10:00 am – 2:00 pm**

Quarterly Meeting

Members Present: In-Person: Dr. Andrea Buck, Dr. Tracey Gendron, Senator Christopher Head, Carla Hesseltine, Tresserlyn Kelly, Dr. Cleopatra Kitt, Ellen Nau, Paige Wilson, Roland Winston, and Ex-Officio Members: Ron Boyd, Kathy Hayfield, Tara Ragland, Courtney Richter, and Jona Roka (on behalf of the Secretary of Health and Human Resources); Via Zoom: Josh Myers

Members Absent: Jo-Ann Chase and Amy Duncan

Guests & Presenters: In-Person: Steve Zollos, Dana Parsons, and Herb DeGroft; Via Zoom: Sharon Lindsay, Carol Paquette, Ashley Staton, Yolanda Stevens, and Erica Wood

Staff Present: In-Person: Charlotte Arbogast, Devin Bowers, Matt Jones, Cecily Slasor, Nick Slentz, Kiersten Ware, and George Worthington.

Welcome and Member Introductions

Carla Hesseltine, *Chair*

Chair Carla Hesseltine called the meeting to order at 10:05 am and welcomed members, guests, staff, and presenters.

Carla Hesseltine welcomed new members, Senator Christopher Head and Dr. Tracey Gendron.

Carla Hesseltine reminded members that Council meetings is being livestreamed for the public. Members of the public can register to listen to the meeting. Council members participating electronically have joined the meeting as “Panelists” as have our presenters for the meeting. Several council members are joining the meeting via Zoom as permitted by the Freedom of Information Act (FOIA).

Carla Hesseltine also reminded members about the Council’s purpose in the Code of Virginia and about opportunities to get involved in promoting the Council’s work and supporting the Council’s efforts.

Carla Hesseltine called for a Roll Call for attendance and for members to introduce themselves. Charlotte Arbogast confirmed that a quorum was present.

DARS staff, guests, and the presenters for the meeting also introduced themselves.

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Chair Carla Hesseltine recognized and thanks Cecily Slasor for her years of service to the Council and presented her with a certificate and plant as an expression of gratitude.

Review Proposed Agenda

Carla Hesseltine, *Chair*

Carla Hesseltine presented the proposed agenda. Paige Wilson made a motion to approve the agenda, which was seconded by Dr. Andy Buck. Upon a vote, the motion was approved unanimously, and the agenda was approved.

Review of Previous Meeting Minutes

Charlotte Arbogast, *Council Staff*

Council Staff Charlotte Arbogast presented the April 17, 2024 meeting minutes for consideration and approval. There were no edits or changes. Roland Winston made a motion to approve the minutes and Tresserlyn Kelly seconded the motion. Upon a vote, the motion was approved unanimously, and the minutes were approved.

Public Comment Period

Carla Hesseltine, *Chair*

Carla Hesseltine opened the floor for public comment.

Herb DeGroft reiterated his previous comments regarding the need to coordinate legislative advocacy efforts with Area Agencies on Aging (AAAs). He recommended advocacy start in the summer and fall before the upcoming General Assembly Session, include engage with the 25 AAAs, and focus on 4-5 specific advocacy areas. He tied in his remarks to the recent legislative advocacy efforts with the Virginia Military Survivors and Dependents Education Program.

DARS Agency Updates

Kathy Hayfield, *Commissioner*

Commissioner Kathy Hayfield welcomed members and guests and provided a brief update on DARS. Commissioner Hayfield spoke about the purpose of the Council and the upcoming changes to the composition of the Council. She reiterated that the Council is intended to be the Commonwealth's Council, not DARS' Council. She noted that the position to support the Council is in progress. DARS continues to function as the State Unit on Aging (SUA) with oversight of the AAAs. She looks forward to this next phase of the Council and ways to continue to elevate aging services with the AAAs and the Virginia Center on Aging (VCOA).

DARS Division for Aging Services Update

Kiersten Ware, *Deputy Commissioner*

Deputy Commissioner Kiersten Ware provided an update on the Division for Aging Services (DAS). Her updates focused on the following activities:

- Older Americans Act (OAA) regulation assessment and implementation and the forthcoming reauthorization of the OAA in Congress.
- AAA engagement, including various site visits and events during the Older Virginians Month in May, the US Aging Conference in July, and quarterly meetings of the Virginia Association of Area Agencies on Aging (V4A).

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- Staffing updates within DAS, including Kathy Miller's upcoming retirement and the hiring of Matt Jones.
- The start of a successful Farm Market Fresh Program season.
- Recent USAging Awards for 2 Virginia AAAs (Bay Aging and Piedmont Senior Resources).
- Follow-up from the April Tribal Convening with the three OAA-funded tribes and the AAAs serving those same geographic regions.
- An update on the U.S. Centers for Medicare and Medicaid Services (CMS) GUIDE Model for dementia coordination and services, which included several Virginia organizations.
- Partnerships with VCOA on grants, including the recently-funded Geriatric Workforce Enhancement Program (GWEP) grant, the HEAR grant implementation, and the pending Elder Justice grant proposal.
- Kinship activities, including recognition for DARS' Nick Slentz by a kinship organization for his efforts with the Virginia Lifespan Respite Voucher Program.
- No Wrong Door (NWD) activities, including the Resource Advisory Council (RAC), Safety Connector Tool of Virginia Easy Access, which had over 23,000 website hits during its first week, and efforts to support a joint local RAC with Alexandria and Arlington AAAs.
- Lastly, she mentioned the recent General Assembly funding for dementia care coordination, NWD dementia capability, and training for private and public guardians.

She concluded her remarks by reminding members about the DAS e-newsletter. Staff will send out the link to sign-up.

Legislative & Budget Updates

Proposed Action: Adopt 2025 Recommendations

Andrea "Andy" Buck, MD, JD, Legislative Committee Chair

Andy presented the background, rationale and summary of the Legislative Committee's proposed 2025 Legislative Recommendations, which included:

1. Increase funding for Home & Community-based Services through the AAA's
2. State funds for Virginia Lifespan Respite Voucher Program
3. Conduct a Study on the Feasibility of a Multisector Plan on Aging
4. Replicating the RAFT program in Other Areas of the Commonwealth
5. Create a Free Certified Nursing Assistant Recruiting & Training Program
6. Support Nursing Home Inspection and Enforcement Process
7. Increase Nursing Home Personal Needs Allowance
8. Strengthen Nursing Home Transparency, Data, and Oversight
9. Enable Local Governments to Increase Nursing Home Transparency and Community Engagement
10. Expand Dementia Care Management to Underserved Areas of Virginia
11. Provide State General Funds for the Ongoing Operations of the Virginia Memory Project

Item #8 included two recommendations that the Legislative Committee had approved, but ultimately worked better when combined into one item. Dr. Buck also indicated that Item #7 could also be framed to include a tax deduction for donations to for-profit nursing homes.

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Members were asked to ask questions or offer additional thoughts on the proposal.

Senator Head had questions and comments about several of the items, including:

- Item #2 be increased from \$200,000 to \$500,000.
- Item #3 include a directive to a specific entity to do the study and funding for it.
- Item #4 include a funding amount.
- Item #5 is possibly duplicative of other efforts to support workforce development and training.
- Item #6 is an important one that he is also looking into and talking to the Virginia Department of Health (VDH) about.
- Item #7 with the tax credit or deduction would be good to add as other options.
- Items #8 and #10 were good ideas, and he was interested in it.
- Item #9 might be challenging if it adds an additional requirement burden.
- Item #11 should also include a funding amount.

Dr. Gendron indicated that VCOA could do the study for Item #3, and that she could provide funding amounts for Items #3 and #11 to DARS staff. Tara Ragland mentioned increased federal regulatory requirements for long-term care (LTC) facilities that are still being reviewed and considered in Virginia. Members discussed existing reporting requirements for LTC facilities as it related to Items #8 and #9. Other members also offered additional thoughts, particularly around the advantages and disadvantages of the proposed items.

Dr. Cleopatra Kitt made a motion, which was seconded by Roland Winston, to approve the proposed 2025 Legislative Recommendations from the Legislative Committee with the following modifications:

- Remove Items #5 and #9 from the final list.
- Update the funding request for Item #2 to \$500,000.
- Add VCOA to the study in Item #3.
- Request DARS to add dollar figures to Items #3, 4, and 11.
- Add an additional option for a state tax deduction or credit to Item #7.
- Make any other technical, grammatical, or otherwise minor edits as needed.

Following a vote, the motion was approved unanimously with Senator Head abstaining to the vote as it related to Item #1 due to a conflict of interest.

Dr. Andrea Buck also referred members to the How to Talk to Legislators handout and encouraged members who might be interested in helping advance the legislative priorities or tracking them to reach out to her or Council staff.

2025 Legislative Priorities: Updates

Alzheimer's Disease & Related Disorders (ADRD) Commission

George Worthington, *ADRD Commission Staff*

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ADRD Commission staff George Worthington presented the ADRD Commission's approved 2025 Legislative Recommendations, some of which were also recommended by the Council. Dr. Andrea Buck asked about plans for initiatives around dementia and frauds/scams. George Worthington noted that this was included in the ADRD Commission's recent Dementia State Plan, but that it needs more concentrated effort.

Virginia Public Guardian and Conservator Advisory Board (VPGCAB)

Laura Koch, *VPGCAB Staff*

Laura Koch, VPGCAB staff, presented the VPGCAB's Legislative Recommendations which were approved at its June 18 meeting.

Virginia Association of Area Agencies on Aging (V4A)

Ron Boyd, *V4A Representative*

V4A Representative Ron Boyd provided an update from V4A, which will be advocating for an increase of \$5 million for AAAs in the upcoming General Assembly Session, recent awards to 2 AAAs by USAgings, and that V4A is sponsoring the Southeastern Association of Area Agencies on Aging (SE4A) Conference in 2026 in Williamsburg.

Senior Services of Southeastern Virginia (SSSEVA)

Steve Zollos, *CEO*

SSSEVA CEO Steve Zollos presented his organization's 2025 legislative priority, which is a request for roughly \$4 million in funding for AAA services to meet the unmet need. He also mentioned the role of Medicaid contracting with AAAs for long-term services and supports (LTSS), which resulted in some questions from members.

Updates on Council Initiatives

1. 2024 Best Practices Awards (Handout)

Charlotte Arbogast, *Council Staff*

Council staff Charlotte Arbogast shared a PowerPoint with photos from the recent 2024 Best Practices Awards events in May. Deputy Commissioner Kiersten Ware also provided additional insight into the events. Charlotte Arbogast reminded members about the upcoming webinar, and noted that she would send the link to members to register.

2. Geriatric Training & Education (GTE) Grant

Devin Bowers, *DARS Grants Specialist*

DARS Grants Specialist Devin Bowers provided an update on the implementation of the GTE grant. She also provided Council members with the postcards that can help promote the event and are being distributed around Virginia through AAAs, LDSS and other interested groups. She encouraged members to continue to spread the word about the educational videos. The U.S. Administration for Community Living (ACL)'s Nutrition Technical Assistance Center also posted the videos on their website, which is great exposure for the videos. Members made additional suggestions of how to distribute the videos, including through the Community Action Programs, Federally Qualified Health Centers (FQHCs), and local health departments. Council staff indicated they would share the electronic version of the postcard with them as well. A final grant report will be provided to the Council for approval at the September meeting to be submitted by October 1.

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CCOA Transition: Updates and Planning

Carla Hesseltine, *Chair*

Charlotte Arbogast, *Council Staff*

Proposed Action 1: Adopt Revised Bylaws

Council staff walked through the draft revised bylaws that were provided to members in advance of the meeting. Changes included:

- Technical changes
- Changes to align with the Code of Virginia membership structure and Executive Director positions
- Changes to the meeting schedule for the quarterly meetings
- Updates to the reference to the Council's Electronic Participation and Meeting Policy
- Updates to the Legislative Committee, including a reduction in the membership from 7 to 5 members
- Sunset of the Planning and Development Committee
- Two options for how to move forward with the Best Practices Awards

Tresserlyn Kelly made a motion, seconded by Roland Winston, to move forward with Option 1 for the Best Practices Awards Committee and process. Upon a vote, the motion was approved unanimously.

Senator Head made a motion to amend the draft bylaws to reflect changes identified above with Option 1 for the Best Practices Awards and an updated quarterly meeting schedule that includes: March/April, June/July, September, and December/January. This motion was seconded by Roland. Upon a vote, the motion was approved unanimously.

Senator Head made a motion to approve the amended bylaws. This was seconded by Dr. Tracey Gendron. Upon a vote, the motion was approved unanimously.

Proposed Action 2: Adopt Revised Electronic Meeting Policy

Charlotte Arbogast summarized the revisions to the Electronic Participation and Meeting Policy that were provided to members in advance of the meeting. These changes reflect new FOIA requirements and permissions.

Paige Wilson made a motion to adopt the revised electronic meeting policy. Ellen Nau seconded the motion. Upon a vote, the motion was approved unanimously.

Proposed Action 3: Adopt SFY 2025 Committee Assignments

Chair Hesseltine continued the work into setting the State Fiscal Year (SFY) 2025 committee assignments.

Carla Hesseltine nominated Dr. Andrea Buck to fill out the vacant seat on the Executive Committee. Dr. Andrea Buck consented to the nomination. Hearing no other nominations, Dr. Andrea Buck was approved by acclamation.

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The Council discussed the Legislative Committee memberships, which is currently full with five members after the revised bylaws were approved. No changes were requested or needed to that membership. Senator Head made a motion to approve the Legislative Committee membership with Roland Winston, Dr. Andrea Buck, Ellen Nau, Josh Myers, and Jo-Ann Chase. This was seconded by Dr. Andrea Buck, and upon a vote, the motion was approved unanimously.

The Planning and Development Committee sunset under the revised bylaws.

The Best Practices Awards Committee had two current members remaining: Tresserlyn Kelly and Dr. Cleopatra Kitt. Paige Wilson indicated an interest in joining the committee. Senator Head made a motion to approve the three members to the Best Practices Awards Committee (with VCOA's to-be-named two other members, one of which will be Dr. Tracey Gendron). This motion was seconded by Ellen Nau. Upon a vote, the motion was approved unanimously.

Presentation: Overview of the Lifespan Respite Voucher Program

Nick Slentz, *Assistant Director of Aging Programs*

Assistant Director of Aging Programs Nick Slentz presented an overview of the Lifespan Respite Voucher Program, including the program's history, funding source, scope, recent activities, successes, and future directions. Members inquired about the \$595 per calendar year figure, which staff indicated was due to IRS requirements and taxable income. Members expressed general support for the program, and members inquired and made suggestions about how to promote the program and get referrals. Nick Slentz noted that the staffing is in transition current due to recent promotions with DAS, but DAS plans to begin approving applications again in September.

Announcements, Regulatory Update and Future Meetings

Carla Hesseltine

Chair Carla Hesseltine indicated that there were no announcements.

Council staff Charlotte Arbogast provided an update on recent regulatory activities, including Medicaid regulatory work for Provider Appeals, Client Appeals, and the CCC Plus Waiver. She also noted recent federal final regulations that are in progress and in some cases, on hold or being litigated through the federal courts. These includes regulations for: OAA programs, Adult Protective Services (APS), nursing home staffing standards, disability nondiscrimination in federally-funded health and human services programs, Americans with Disabilities Act (ADA) accessibility requirements for state and local governments, Uniform Grant Guidance requirements for federal funders, and two recent Medicaid final rules.

Carla Hesseltine noted that the next Council meeting is planned for September 18. After a few members expressed conflicts, Council asked staff to poll members to confirm the best available meeting date for September. The next meeting will include the following agenda items:

- (potentially) Welcome new Council members
- Approve the Council's 2024 Annual Report
- Approve the Council's GTE Grant Final Report
- Set the 2025 Meeting Dates
- A presentation from Dr. Gendron on VCOA

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Public Comment Period

Carla Hesseltime

There were no additional public comments.

Meeting Adjournment

Carla Hesseltime

Having completed the meeting agenda, Carla Hesseltime adjourned the meeting at 1:50 p.m.

Members Participating Electronically:

- Josh Myers, Personal Matter (childcare needs), from Moseley, Virginia

Meeting Handouts:

1. Proposed Meeting Agenda for July 17, 2024
2. Draft Meeting Minutes for April 17, 2024
3. Legislative Committee's Proposed 2025 Legislative Recommendations
4. How to Talk to Legislators Handout
5. ADRD Commission 2025 Legislative Recommendations
6. VPGCAB 2025 Legislative Recommendations
7. SSSEVA 2025 Legislative Recommendation (single slide)
8. V4A Handout
9. 2024 Best Practices Awards Webinar Handout
10. GTE Grant Postcard on Nutrition
11. Draft Revisions to the Council's Bylaws
12. Draft Revisions to the Council's Electronic Meeting Policy
13. Council on Aging Committee Listing for SFY 2025
14. Update on Regulatory Actions
15. Lifespan Respite Voucher Program PowerPoint slides