



COMING TOGETHER TO ADVOCATE FOR OLDER ADULTS

NC Coalition on Aging March Update – March 17, 2017



Greetings on this St. Patrick's Day edition of the *Update*.

Hope it is a special day.

Coalition's Day at the Legislature is coming up on April 4. This week you received an e-mail from Teresa Troup, chair of the Coalition's committee planning for this special day, with lots of details about the plans for the Day. We hope to have good participation from all members of the Coalition in the Day's activities. It is a great opportunity to network with other Coalition members, share information about our legislative priorities with members of the General Assembly, and talk with legislators and their staff as well as visitors to the General Assembly about aging issues and field their questions. If you plan to attend, please return the registration form by March 22 to Teresa (was included in her e-mail). At the Coalition's membership meeting on March 24, a good portion of the meeting time will be devoted to discussing plans for the Day. Questions about the Day can be directed to Teresa at ncadulldayservices@gmail.com.

Bi-Partisan Bill Introduced to Establish Aging Subcommittee – We are excited that at the urging of the Coalition, four members of the House have introduced [House Bill 248](#) which would establish an Aging Subcommittee of the Joint Legislative Oversight Committee on Health and Human Services (HHS). Establishing a joint legislative committee was a key priority of the Coalition. The Subcommittee would be comprised of 21 members and would be charged with studying a variety of issues related to aging including issues pertaining to working caregivers for older persons, also a priority of the Coalition. Sponsors of the legislation are Reps. Josh Dobson (co-chair of the House Appropriations Committee on Health and Human Services as well as the House Health Committee), Rep. Becky Carney, Rep. Michele Presnell, and Rep. Donna White (former employee of the NC Division of Aging and Adult Services who is on the House Aging Committee). The bill has been referred to the House Health Committee. It has 20 co-sponsors

coming from both parties. Please take time to thank the bill sponsors and co-sponsors for their support.

Telling Our Story to Legislators – Thanks to the hard work of several members of the Coalition, individual one-on-one visits have been held with key members in both the House and Senate to discuss the Coalition’s legislative priorities. Legislators visited so far include Reps. Josh Dobson (R Avery, McDowell, Mitchell), Rep. Nelson Dollar (R Wake), Rep. Donna White (R Johnston), Rep. Chris Malone (R Wake), Rep. Beverly Earle (D Mecklenburg), Rep. Graig Meyer (D Durham, Orange), Rep. Pat Hurley (R Randolph), Rep. Rena Turner (R Iredell), Rep. Craig Horn (R Union), Rep. Mike Clampitt (R Haywood, Jackson, Swain), Sen. Joyce Krawiec (R Forsyth, Yadkin), Sen. Louis Pate (R Lenoir, Pitt, Wayne), and Sen. Tommy Tucker (R Union). We also visited with former Rep. Marilyn Avila who is now a policy advisor to House Speaker Pro Tempore Rep. Sarah Stevens (R Surry, Wilkes). In addition, informal meetings have been held with numerous other legislators about our issues. The meetings were all very positive and productive and legislators were quite interested in the fact the Coalition was a collaborative partnership between so many diverse members. They also had many questions about our priorities and were struck by the demographic data relative to the older adult population in the state. Coalition on Aging members who attended some or all of the visits were Kay Castillo (NASW – NC Chapter and Past Vice-President), Tracy Colvard (Association for Home and Hospice Care of NC), Alan Winstead (Treasurer and Meals on Wheels Association of NC), Bill Lamb (Past President and Friends of Residents in Long Term Care), and Mary Bethel (President). Julia Adams, Lobbyist with Oak City Government Relations and the guest speaker at the Coalition’s February meeting, also attended many of the meetings. These individuals gave many hours of time and effort to these meetings with legislators so please thank them for their work on behalf of the Coalition’s priorities.

Don’t Blink Because There is a Lot Going On – It is still March, not even 100 days into the new administrations in Raleigh as well as Washington, D.C. and things have certainly not been dull. Governor Roy Cooper delivered his first State of the State address this week and President Donald Trump had his first address to Congress on February 28. Both have now released their first proposed budgets and both budgets have provisions which impact older adults.

A summary of key provisions in the **Governor’s budget proposal** related to aging was sent to Coalition members and supporters on March 2. In addition to what was noted in that e-mail, in his March 13 State of the State address, the Governor also touted his proposal to reinstate the **NC Child and Dependent Care Credit** that was eliminated in 2013. In his remarks, the Governor noted that the Credit could be used by families taking care of older relatives. The proposal would provide a credit equal to 50% of federal child and dependent care credit for children under age 6 and 35% for other eligible dependents.

As the **relationship between the Governor and** the members, particularly the leadership, of the **NC General Assembly** continues to evolve, there is no shortage of high profile happenings. The Governor’s cabinet appointees are beginning to appear before Senate Committees, thanks to

subpoenas, for confirmation hearings. Former Rep. Larry Hall, selected by the Governor to head the State's Military Affairs Department, was the first appointee to be approved by the Senate. Yesterday, the Governor announced that he has [vetoed](#) House Bill 100 which would make state trial court elections partisan.

The legislature also had its share of significant actions this week. On Tuesday, March 14, the Senate passed and sent to the House [Senate Bill 75](#) which would ask voters to amend the North Carolina constitution to provide that the maximum tax rate of income cannot exceed five and one-half percent. The constitution currently caps income tax rates at 10%. The current personal income tax rate is 5.499% so the amendment would prevent any future tax hikes. House and Senate leaders also proposed competing [tax cut](#) plans this week.

As “interesting” as things are on the state level, they are equally as many “interesting” happenings on the national level. On Thursday, **President Trump released his first proposed budget** and if he gets his way, there will be more losers than winners among government departments and programs. As it pertains to aging interests, one of the big winners in the budget is the Veterans Administration which would see a budget increase of 5.9% (\$4.4 billion) which is driven by growing health care costs. One of the big losers in the budget is the Senior Community Services Employment Program (Title V of Older Americans Act) which would be eliminated. The blueprint released as a part of the budget said that this program is inefficient and unproven. The Labor Department, however, reports that the program has helped more than 1 million people 55 and older find jobs. Under the President's proposal, the Department of Health and Human Services would face the largest cut in terms of dollars - \$12.6 billion or 16.2%. The National Institutes of Health would be cut \$5.8 billion. Some independent agencies supported by tax dollars would lose all federal funding including the Public Broadcasting Corporation, the National Endowment for the Arts, the National Endowment for the Humanities, and the Corporation for National Community Service. Funding for housing, legal aid assistance and the low-income energy assistance program would also lose in the plan. To find out more about the budget, click [here](#).

With everything that has been going on, perhaps the thing which has garnered the most attention the last few weeks is the **plan introduced by Congressional Republicans on March 7 to repeal and replace Obamacare** (aka the Affordable Care Act). According to House Republican leaders, the [Americans Health Care Act](#), as the proposal is known, proposes to repeal Obamacare's individual mandate, maintain coverage for people with pre-existing conditions, allow children to stay on their parents' plans until the age of 26, offer refundable tax credits to purchase health insurance, and restructure the country's Medicaid program so that states receive a set amount of money from the federal government every year. As details about the plan's provisions have begun to emerge, it is facing intensive opposition from Democrats and conservative Republicans as well as some more mainstream Republicans who have concerns about the number of people who could lose health care coverage. On March 13, the [Congressional Budget Office \(CBO\) and the staff of the Joint Committee on Taxation \(JCT\)](#)

[released their estimate](#) of the budgetary effects of the American Health Care Act. They estimate that enacting the Act would reduce federal deficits by \$337 billion over the coming decade and increase the number of people who are uninsured by 24 million in 2026 relative to current law.

Aging organizations have expressed significant concerns about the American Health Care Act. [AARP](#) in a March 7 letter to members of the House leadership noted that they opposed the Act because it would weaken Medicare's fiscal sustainability, dramatically increase health care costs for Americans aged 50 – 64 (increase age rating), and put at risk the health care of millions of children and adults with disabilities, and poor seniors who depend on the Medicaid program for long-term services and supports and other benefits. The [National Council on Aging \(NCOA\)](#) also expressed concerns about imposing caps on federal contributions to Medicaid, about gradually eliminating Medicaid expansion (which North Carolina has not done), about provisions that would weaken the Medicare Part A Hospital Insurance Trust Fund, about increasing the current age rating band from 3:1 to 5:1 or more, and about the repeal of the Prevention and Public Health Fund. The *New York Times* ran an interesting article on March 5 entitled "[Repeal of Health Law Faces a New Hurdle: Older American](#)" which notes the opposition by seniors because their health insurance premiums would increase.

Governor Cooper and State legislators are watching deliberations about the Act closely as any legislation passed will have significant impact on the state, particularly as it pertains to the Medicaid program. On March 15 and 15, the Joint Appropriation Committee on Health and Human Services heard presentations about the [impact of the Affordable Care Act on North Carolina](#) and the implications of [possible Medicaid Block Grants and per capita funding](#). Rosa Hoban with *NC Health News* has a good article about [Medicaid by the Numbers – 2017](#) which provides information about the NC Medicaid program. As Rose said in the introduction to the article, as Congress has the debate about the repeal and replacement of the Affordable Care Act, a big part of the conversation will be about Medicaid.

The Kaiser Family Foundation has also done an interesting [brief](#) which examines five key Medicaid considerations of the Act. These are 1. The Act would fundamentally change the federal role in financing care for the poorest people in the nation by capping the federal contribution to Medicaid, resulting in both federal savings and substantial cuts in federal Medicaid support over time. 2. Capping federal Medicaid funding locks states into their past Medicaid cost and spending experience and does not adjust for key state variation. 3. Capped federal funding could limit states' ability to meet the health care needs of their residents and respond to emerging health issues. 4. Capped federal Medicaid funding could increase state budget pressures, jeopardizing access to home and community-based services in Medicaid that enable seniors and people with disabilities to have integrated care and remain in the community. 5. Ending enhanced federal financing for the Medicaid expansion puts coverage at risk for 11 million adults who gained Medicaid through the expansion. (note: Governor Cooper has

advocated for Medicaid expansion, but the General Assembly has not moved to expand Medicaid).

Brief Notes on Legislative Matters:

- The Crossover deadline (date non-budget bills have to pass one chamber) for this year's legislative session is April 27.
- The average age of members of the NC House of Representatives is 58.6 years.
- A bipartisan group of legislators have introduced a redistricting reform bill to end gerrymandering. [House Bill 200](#) would have nonpartisan legislative staff create congressional and legislative maps without political consideration. The bill has been referred to the House Committee on Rules, Calendar, and Operations.
- The House Aging Committee will meet on Wednesday, March 22, at 11:00 a.m. in room 423 of the Legislative Office Building. The Division of Aging and Adult Services will present.
- The *News and Observer* ran a nice [article](#) on Rep. Greg Murphy (R Pitt) who is the only physician in the General Assembly. He co-chairs the House Appropriations Committee on Health and Human Services and the House Health Committee.

Pitt County Council on Aging Hosts Legislative Breakfast – On Monday, the Pitt County on Aging hosted a legislative breakfast attended by more than 150 people. The future of the nation's health care system – specifically the ability to obtain health insurance – dominated the discussion. The event was attended by U.S. Reps. Walter Jones and G.K. Butterfield and state legislators Rep. Greg Murphy, Rep. Jean Farmer-Butterfield and Sen. Don Davis. Sen. Tom Tillis' office was represented by staff member Brian Brown. With Congress and our State Legislature in full swing and many important issues on the agenda, now is a great time to schedule local events with elected officials.

Change in Location for Coalition Meetings – Don't go to the NC Division of Aging and Adult Services office in Taylor Hall on the Dix campus for the next membership meeting on March 24 at 10:00 a.m. because we won't be there. Due to the increased attendance at our meetings, we have outgrown this space. Thanks to our friends at the Division of Aging and Adult Services, a larger meeting space on the Dix campus has been located for our meetings. Starting with the March 24 meeting, we will meet in room 104 of the Brown Building which is located at 801 Biggs Drive on the Campus. This is the hearing room for the NC Division of Health Service Regulation. The Brown Building is the third building on the right if you enter the Campus off of Goode Drive from Lake Wheeler Road. It is yellowish in color and has a large ramp in front of the building. Room 104 has an outside entrance on the left side of the building. Handicap parking is available in the lot adjacent to the building and handicap accessibility to the building is available via the front door using the ramp. Free parking is available on the street in front of the building or in the lot across the street. Click [here](#) to get directions and a map to the building.

The Brown Building is number 17 on the map. As noted above, a large portion of the meeting will be devoted to discussing our priorities and preparing for our Day at the Legislature on April 4.

MOON Is Here (from McDermitt, Will & Emery) – On December 8, 2016, the Centers for Medicare and Medicaid Services (CMS) published the Medicare Outpatient Observation Notice (MOON), which educates Medicare beneficiaries on the effect of outpatient status, particularly as it pertains to cost-sharing requirements and skilled nursing facility (SNF) eligibility. The MOON was published by CMS to implement the Notice of Observation Treatment and Implication for Care Eligibility Act (the NOTICE Act), which was enacted on August 6, 2015. The NOTICE Act seeks to eliminate any surprises Medicare beneficiaries might experience after (1) receiving large out-of-pocket costs for a hospital stay in which they received outpatient observation services but were not admitted as inpatients, and (2) learning that time spent under observation does not count toward their eligibility for SNF coverage.

Beginning on March 8, 2017, hospitals and critical access hospitals must provide the MOON to Medicare beneficiaries receiving observation services as an outpatient for more than 24 hours. The MOON must be provided no later than 36 hours from the time the beneficiary begins receiving outpatient observation services (or, if sooner, upon release). The MOON must be accompanied by an oral explanation of the information in the form and must be signed by the beneficiary or the beneficiary's representative. Failure to provide the MOON to applicable beneficiaries is considered a violation of the hospital's Medicare provider agreement and could result in termination of the hospital's Medicare provider agreement.

A copy of the MOON is available from [CMS's website](#)

Wait Times at VA Medical Centers- There has been media attention lately about discrepancies between wait times at VA Medical Centers found by the VA Office of Inspector General (OIG) and those reported by the Veteran Health Administration (VHA). The VHA says that longer wait times reported by the OIG are the result of the OIG's use of a methodology that was inconsistent with the VHA policies at the time of the audit. VA officials say that they have made a number of improvements in recent years in wait times, including adding same-day service for primary care and mental health care and doing extensive training for schedulers.

Senior Tar Heel Legislature Meets for Spring Meeting – The Senior Tar Heel Legislature was established by the NC General Assembly in 1993 with the passage of Senate Bill 479 to provide information to senior citizens on the legislative process and matters being considered by the General Assembly, to promote citizen involvement and advocacy concerning aging issues before the NC General Assembly, and to assess the legislative needs of older citizens by convening a forum modeled after the NC General Assembly. Each county in North Carolina is entitled to one delegate to the Senior Legislature and most counties also have an alternate delegate. Delegates and alternates from throughout the state convene three times a year as a whole. Their most recent meeting was March 14 and 15. They met on March 14 to

be updated on issues and spent March 15 at the NC General Assembly advocating for their issues. There issues for 2015 are:

- Reestablish the Study Commission on Aging.
- Increase Home and Community Care Block Grant funding by \$7 million in recurring funding.
- Increase funding for senior centers.
- Sustain and Expand Project C.A.R.E. (Caregiver Alternative to Running on Empty).
- Strengthen and appropriate \$3 million for the North Carolina's Adult Protective Services Program.

Senior Games State Finals Dates Set – NC Senior Games has announced State Finals dates for 2017. They are as follows:

- August 30-31 – Golf Tournament at Tanglewood Park, Clemmons
- September 18-24 – “Big Week” Events in Cary/Durham/Raleigh
- October 3-4 – Bocce and Cornhole Tournaments – Clayton Community Center, Clayton
- October 9-12 – Softball Tournament – Thomas Brooks Park, Cary
- October 17-19 – Pickleball Tournament – Carolina Courts, Concord
- October 27-29 – Basketball Tournament – ECU Student Recreation Center, Greenville

The 2017 National Senior Games for qualifiers will be held in Birmingham, Alabama on June 2-15.

Additional News:

- There were 20 new **flu deaths** last week bringing the total deaths at the end of the week this flu season to 110. Persons 65+ account for the largest number of deaths.
- The **Alzheimer's Association has released its** 2017 Facts and Figures (http://www.alz.org/documents_custom/2017-facts-and-figures.pdf). Specific data for North Carolina can be found [here](#).
- The NC Adult Day Services Association is offering a **one day informative seminar on Making Your Adult Day Center Work**. This program which will be held on Wednesday, March 29, from 9:30 a.m. to 12:30 p.m. is geared for persons new to the business of adult day services or for those interested in exploring the possibility of opening an adult day program. The program will be held at Resources for Seniors in Raleigh and the fee is \$149 per person for Association members and \$199 per person for non-Association members. Pre-payment and pre-registration is required. To find out more, contact the NC Adult Day Services Association at (919) 552-0254.

- **Mother's and Others for Clean Air**, a program of the American Lung Association of the Southeast, is leading a public education campaign to build the connection between air pollution, climate change and public health, and to advocate for improved policies that improve air quality and mitigate climate change. To learn more, contact Deborah Bryan, Project Manager for North Carolina at Deborah.Bryan@LungSE.org or (919) 812-5335.
- The **National Park Service expects to hike fees** this year for the lifetime pass for seniors to visit national parks. This is part of a larger move to pay for major projects and enhanced services. The fee for a lifetime pass for citizens 62 and older will go from \$10 to \$80. An annual pass will cost \$20 which can be applied to the cost of a lifetime pass at a later point. Park Service officials are unsure how long it will take to implement the change, but it is expected before the end of 2017.
- The Administration for Community Living has announced that the annual summary of the latest statistics on the older population, **A Profile of Older Americans: 2016**, is now available. The profile covers 15 topical areas including population, income and poverty, living arrangements, education, health, and caregiving. It is a web based publication and is posted on the following website:
http://www.aoa.acl.gov/Aging_Statistics/Profile/index.aspx.
- The Senate Special Committee on Aging has created a [guide](#) to make **filing taxes easy and accurate for older adults**. Seniors can avoid overpaying by using tips found in the guide about Social Security, tax credits, pensions, and other deductions.
- The National Council on Aging (NCOA) will host a **free webinar** on March 28 at 3:00 to 4:00 p.m. about ways to **help older adults with arthritis** access evidence-based programs. The webinar will highlight resources from NCOA and the Arthritis Foundation and successful practices from the Utah Arthritis Program. Presenters will include staff from the Thurston Arthritis Research Center at UNC Chapel Hill. For information about the webinar, click [here](#).
- Many aging caregivers with an adult child with intellectual/developmental disabilities do not plan for the future because of emotional barriers or misconceptions and do not know how or where to start a plan for the future. These families often have no connection to the disability community or the disability service system. The Arc of North Carolina can help. It's **Center for Future Planning gives families the tools they need** to be proactive in planning for a sustainable future for their loved ones. It provides information, webinar training, resources for download, and referrals for families – all at no cost. To learn more, visit The Arc's Center for Future Planning online at

futureplanning.thearc.org or contact Gerri Smith at gsmith@arcnc.org or at 1-800-662-8706.

- According to the Agency for Healthcare Research and Quality, among adults with health care expenses in 2014, those treated for multiple chronic conditions had **average out-of-pocket expenses** that were more than three times as high as expenses for adults with one or no chronic conditions (\$13,031 versus \$3,579).
- Check out the excellent [three part series](#) by Andrew Carter with the *News and Observer* about Woody Durham, the legendary voice of the UNC Tar Heels, who has been diagnosed with Primary Progressive Aphasia, a neurocognitive disease that threatens to rob him of his ability to speak.
- **Congratulations** to Rose Hoban, editor and founder of *NC Health News*, and staff there for winning eight awards from the NC Press Association including first place in General Excellence for an online publication.
- Amy Dickinson, the namesake of the syndicated “Ask Amy” column has written a memoir entitled “**Strangers Tend to Tell Me Things: A Memoir of Love, Loss, and Coming Home**” which includes her story of returning to the small town where she was born to be with her ill elderly mother.
- Last month the US Supreme Court questioned the validity of arbitration agreements for nursing homes in a case involving Kindred Healthcare. To learn more, check out this [article](#) in *Modern Healthcare*.
- **Alex Johnson joined the staff of AARP North Carolina** on February 27, 2017 as an Associate State Director for Advocacy.
- **David Kirkman, JD has retired from his position as Special Deputy Attorney General in the NC Department of Justice’s Consumer Protection Division.** He was an enforcement attorney there for three decades and represented North Carolina on several consumer protection executive committees of the National Association of Attorneys General and on numerous state, federal and international law enforcement task forces that addressed cross-border fraud, telemarketing fraud, money laundering, fraud-induced wire transfers, home repair fraud, elder fraud and internet fraud. David served on the NC General Assembly’s Legislative Task Force on Elder Fraud and co-chaired the Task Force’s subcommittee that drafted and helped pass Senate Bill 140 (2013 session), legislation that enhanced the ability of banks to cooperate with law enforcement in

stopping elder fraud activities and also made it easier for local prosecutors to charge and convict elder fraud criminals.

- There are several **new staff at the NC Division of Aging and Adult Services**. Staff who have joined in the last several months are:
Carol Burt, Planning/Evaluator with the Planning Section, who started in February.
Dawn Gartman, Project C.A.R.E. Director/Alzheimer's Support Specialist, who started on January 17.
Ali Banks, Administrative Assistant in the Service Operations Section, who started February 13.

Submitting Information for Updates – If you have news or information on activities and events you would like to have included in an Update to Coalition members, please send details to Mary Bethel, Coalition President, at mmbethel72@gmail.com.

Calendar of Events – If you have events or activities scheduled for 2017 that you would like to share with Coalition members, please send details about these to mmbethel72@gmail.com. We post a master calendar of aging related events and activities on the Coalition's website.

Have questions about the Coalition on Aging or need more information, including information about joining the Coalition or renewing membership, please contact us at mmbethel72@gmail.com or check out our website at <http://www.nccoalitiononaging.org/>.