

Advisory Council on Aging and Disability Services

Creating choices for elders and adults with disabilities in Seattle-King County

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MONTHLY MEETING

NOVEMBER 13, 2015

MEMBERS PRESENT

City of Seattle	King County	United Way
<input checked="" type="checkbox"/> Claire Brannan	<input checked="" type="checkbox"/> Mayor David Baker	<input type="checkbox"/> Mary Anderson
<input checked="" type="checkbox"/> Molly Holmes	<input type="checkbox"/> Kris Fredrickson	<input checked="" type="checkbox"/> Marsha Andrews
<input type="checkbox"/> John Okamoto, City Council	<input checked="" type="checkbox"/> Ava Frisinger, Chair & Former Mayor, Issaquah	<input checked="" type="checkbox"/> Katty Chow
<input checked="" type="checkbox"/> Tony Provine	<input checked="" type="checkbox"/> Bev Heyden	<input checked="" type="checkbox"/> George Dicks
<input checked="" type="checkbox"/> Kathe Matrone	<input type="checkbox"/> Kate Miller	<input checked="" type="checkbox"/> Tom Minty
<input checked="" type="checkbox"/> Mac McIntosh	<input checked="" type="checkbox"/> Dave Rogers, Senior Lobby Rep	<input type="checkbox"/> Dr. Elizabeth Phelan
<input checked="" type="checkbox"/> Sue Shaw	<input checked="" type="checkbox"/> Berta Seltzer	<input checked="" type="checkbox"/> Lorna Stone
<input type="checkbox"/> Diane Snell, SCOA, Past Chair	<input type="checkbox"/>	<input checked="" type="checkbox"/> Eric Martenson

Excused Absence	Dr. Elizabeth Phelan, Kris Fredrickson, John Okamoto, Mary Anderson, Kate Miller
Guests:	Diana Thompson, Frances Biderman, Carolyn Heersema,
Staff	Gigi Meinig, Andrea Yip, Maria Langlais, Lori Sanford, Irene Stewart
Speakers	Julianne Kocer
United Way Staff	
King County Staff	Linda Wells
City of Seattle	Maureen Linehan

Welcome and Introductions:

Ava Frisinger, Chair, welcomed Advisory Council members and ADS staff to the meeting. She asked those present to introduce themselves.

Program
End of Life Planning Toolkit
Speaker Julianne Kocer

Claire Brannan, Chair of the Communication Committee introduced the topic “End of life Planning Toolkit” was chosen by the committee because end of life planning is simply smart life-planning affecting family, friends and even the community. Advance planning allows a person to make his or her wishes, care preferences, legal and financial interests known before being faced with a catastrophic medical crisis. A good planning process gives families time to examine options and individuals an opportunity to communicate their desires instead of leaving these decisions to doctors, and/or the government/courts.

Speaker Ms. Julianne Kocer is a Life Care Planning, Elder Law and Estate Planning attorney. She came highly recommended by Advisory Council member Marsha Andrews. Julie frequently speaks to attorneys and other professionals about estate planning and long term care. Additionally, she is a professor and guest speaker at the University of Washington School of Social Work. Julianne has testified and written opposition papers against legislation negatively affecting seniors and people with disabilities. Today she described a number of estate planning tools which may be used before death and after death.

Elder law is defined as

“The legal practice of planning for the financial and health care needs faced by older Americans before they die and plan for the disposition of their assets and remains upon death”.

Tools used prior of death

- *Disposition of remains* – People have the right to control the disposition of their remains by documenting their wishes in writing and signing in the presence of a witness. If no prearrangements are made an agent will be designated using the hierarchy in RCW 68.50.160. It’s best to place the paperwork with the will.
- *Power of attorney (POA)* – There are three types of POA which give a trusted individual the authority to provide assistance with financial and/or medical decisions. It’s important to update older versions of the POA.
 - Limited - “Attorney-in-fact” authority is limited for a specific time or purpose.
 - General – “Attorney-in-fact” has authority up to the moment of disability/incapacity.
 - Durable – “Attorney-in-fact” has authority through disability and incapacity up to the moment of death.

The use of the Healthcare POA can avoid the need for Guardianship and conflict between family members. She suggested the Financial POA be given access to digital email, bank account information.

- *The Health Care Directive* is similar to the Health Care POA instead it is limited to terminal or permanent unconscious conditions. It provides specific instructions to a health care facility about life-sustaining treatment which could include nutrition, hydration, CPR, ventilation. It may be revoked verbally at any time.

- *POLST* stands for Physician Orders for Life Sustaining Treatment – is an approach to end-of-life planning. Julie recommended not filling out the form unless the patient is diagnosed with a terminal condition.
- *Guardianship*: A "guardian" is someone who is chosen or appointed by the courts to make legal decisions for another person unable to make decisions on their own. Guardianship is often over a child or an individual who has become incapacitated through age or disability. Julie suggested using Guardianship as a last resort and instead use less restrictive approaches. Unscrupulous individuals may use guardianship to gain access to assets without the knowledge of an individual. Guardianships are costly and time consuming to undo it's important to choose a trustworthy agent.
- *Long Term Care Insurance* has failed seniors. Premiums have increased over time, and policies cancelled. There is little or no benefit to policy holders and no cash value. Many people can no longer afford policies bought years ago and have nothing to show for it. Not a good tool.
- *Medicaid* is a state and federal program designed to pay medical expenses of low income individuals who are aged blind or disabled or individuals age 65 or older who meet income, resource and functional eligibility tests (e.g., needing help with bathing, transferring, dressing, feeding, ambulation etc.). For seniors, Medicaid is a safety net program designed for people who spend down their resources and need long term care.
- *Life Care Planning* is a service offered by a team of legal and medical professionals to assure quality care for elders and help for families. Benefits include an assessment, ongoing monitoring, sharing the responsibility of caring for individuals, making recommendations for care needs, informing family of tax impacts, handling assets upon death, and reducing stress.

Post death tools

- *Revocable Living Trust*, also called a "Living Trust", is a tool created while the Trustmaker/Grantor (the person creating the trust) is alive. Once the trust is in place, assets are no longer owned by the Trustmaker. After the Trustmaker dies the Trustee settles the trust outside of probate.
- *Irrevocable Trust* – Once property is placed into an irrevocable trust, it cannot be retrieved. The property belongs to the trust. Property placed in an irrevocable trust is no longer considered part of the estate and isn't included in the estate's value when determining taxes. Note: Most people will not pay Federal estate taxes if their estate does not exceed \$5,340,000. Then the estate will pass on to the heirs free from federal estate taxes - though there may be Washington State taxes.

There are two types of irrevocable disability trusts in which the trustee manages, invests and distribute the assets of the trust only for the benefit of the beneficiary.

- *Special Needs Trust* is a discretionary non-support trust designed to provide for a disabled person's supplemental care, which is defined as items and services not provided by any public benefit programs such as Supplemental Security Income ("SSI") and/or Medicaid.
- *Disability Trusts* are authorized under both federal and state law to protect assets for a disabled individual without disqualifying him or her from eligibility for public

benefits programs. They are most commonly used to protect personal injury settlements and inheritances, retroactive public benefits, etc.

Estate Planning Tools

- *Joint tenancy right of survivorship* – With this type of account, survivors listed on an account will inherit the total value of the account or real-estate assets upon the death of the primary account owner. Members of the account are given the power to conduct investment transactions within the account while the owner is still alive.
- *Beneficiary* refers to someone who is eligible to receive distributions from a trust, will or life insurance policy. Beneficiaries are either named specifically in these documents or they have met the stipulations that make them eligible for whatever distribution is specified.
- *Community property* is a contract between married couples. The Community Property Law concerns the distribution of property acquired by a couple during marriage. In the nine community property states (including Washington), the basic idea is that a husband and wife each acquire a one-half interest in what is labeled community property.
- A *Will* is a legal document containing instructions as to what should be done with one's property after one's death. Not all property is affected by the will. Life insurance requires a beneficiary be designated. Communicating your wishes with adult children is important, Julie suggested giving copies of the will to adult children.

Business meeting

Minutes

Minutes were approved one change:

Mac McIntosh, Sue Shaw and Dave Rogers should have been listed as excused absences.

Advisory Council Member Parking for 2016

Please fill out the parking application and return to Gigi at the end of the meeting

2016 Slate of Officers PASSED BY ACCLIMATION

Molly Holmes – Chair

Mayor David Baker – Vice Chair

Sue Shaw – Secretary

Marsha Andrews – At Large

Communication Committee Survey topics

Claire asked the Advisory Council to fill out a survey to give the Communications Committee information about topics of interest for 2016.

Sponsor Liaison

King County

Linda Wells reported

1. The Best Start for Kids Levy passed in the recent election. The focus of the levy will be on prevention measures for children from birth to 24 years of age.
2. The MIDD is expected to move forward for a vote by the King County Council in 2016. If passed, many of the programs will begin in 2017.
3. The next veterans and human service levy may be expanded to include new program areas and populations including older adults.

United Way – No Report

Yuri Kim did not attend the meeting

Community Living Connections update

Angela gave an update on the Community Living Connections program which expands the Information and Assistance model to older adults and adults with disabilities. Thirteen contractors from different regions of King County are coordinating to provide integrated services. They regularly connect during networking meetings. Marketing and messaging consultants were hired and marketing materials will be available early 2016. Angela encouraged Advisory Council members to contact her if they hear about questionable customer service issues. Please include the phone number, time and date so the communication may be tracked and followed up upon. Angela stressed the importance of continuous quality improvement and invited Advisory Council members to act as secret shoppers.

Planning and allocations Committee

Berta reported

Fair Housing Update

1. Debra Rinehart, Senior Planner in the Human Services Department (HSD) Community Services Division, provided an introduction to the Assessment of Fair Housing (AFH). The purpose of the AFH is to ensure that City policies, programs, contracting and resource allocations: 1) take “meaningful action” to affirmatively further fair housing and economic opportunity; 2) remove barriers to compliance with the Fair Housing Act of 1968; and 3) not take action that is inconsistent with the duty to further fair housing.
2. Failure to submit the AFH could jeopardize continued federal funding. Debra reported that the AFH will require significant participation from the Department of Planning & Development; the Seattle Office for Civil Rights; Office of Housing; Department of Neighborhood; and the Seattle Housing Authority, etc., Each organization is critically linked to multiple City policies and plans, such as the Housing Affordability & Livability Agenda (HALA); the Race and Social Justice Initiative (equity initiatives); the 2035 Comprehensive Plan; and the SHA Section 8, Housing Choice and Move to Work plans. The HUD goals include:
 - a. Dismantling patterns of segregation
 - b. Reduce racial and/or ethnic concentrations of poverty
 - c. Identify and address disproportionate housing needs
 - d. Increase housing mobility from low to high-opportunity areas of the city for low-income households
 - e. Reduce disparities in housing choice and access to community assets based on protected classes.
 - f. Equitably expand neighborhood assets and enhance quality of life for all

Quiet Crisis Update –The Washington Pioneer Network hosted a Conversation Café on October 14 to revisit the 2009 “Quiet Crisis” report on senior housing needs in King County. Panelists included representatives from the Seattle Office of Housing, the Cedar River Group, ARCH, the Seattle Housing Authority, and Leading Age. Participants discussed housing services and the need to preserve the existing stock of affordable housing.

1. ARCH is partnering with Providence on new construction for a low income housing in Redmond that will include a PACE center:

<http://providencesupportivehousing.org/news/providence-breaks-ground-for-new-affordable-housing-facility-in-redmond-wa/>

2. ARCH is proactively working with owners of older buildings that are at risk of being sold to developers who will raise rents. Instead, they are working to ensure the buildings are sold to nonprofits who are committed to keeping the units affordable.
3. Laurie Olson, from the Seattle Office of Housing gave a brief summary of HALA. Strategies include: 50k more units; 20k of which are affordable; linkage fees; mandatory inclusion with extra height; and expand multi-family tax exemption.

Budget Updates

1. Federal:

Maureen reported Congress raised the debt ceiling (or spending cap) to avoid another sequestration. This will provide an additional \$80 million, which may mean an increase to the Older Americans Act. Maureen encouraged advocacy during the next few weeks.

2. City of Seattle:

General Fund budget items related to HSD/ADS the City Council is considering include:

- a. \$39,000 for a .5 FTE Kinship Care collaboration position
- b. \$250,000 for social work support at senior centers
- c. \$75,000 to support socially isolated LGBT older adults
- d. Possibly a Statement of Legislative Intent (SLI) regarding the impact of the United Way funding shift.

3. State

The W4A will advocate to expand funding for the Family Caregiver Support Program.

4. King County

MIDD (Mental Illness & Drug Dependency). Since 2007, one-tenth of one cent of King County sales tax is used to fund programs outlined in the MIDD Action Plan. The funding supports programs designed to stabilize people suffering from mental illness and chemical dependency. Work will begin to renew the levy, which is scheduled to expire in 2016. Staff will look for ways to expand support for older adults. The Veterans & Human Services Levy is scheduled to expire in 2017.

Regionalism

1. United Way Funding – United Way’s new strategic plan will shift investments toward four new goal areas, which means funding is being shifted away from a number of outcomes, including impact areas that serve older adults and people with disabilities. Sound Cities will be discuss the issue at their next meeting.
2. Special Session on Aging Issues –on Friday, November 20, from 11:30 a.m. to 1:00 p.m., the Seattle City Council Committee on Housing Affordability, Human Services and Economic Resiliency (CHASER) will be hosting a special session on aging issues. The event is being sponsored by Council member Okamoto, Bagshaw, Burgess and Rasmussen, in partnership with AARP and ADS. It will be an opportunity to educate current and newly elected council members on opportunities and challenges presented by the growing aging population.

Advocacy Committee

Mac McIntosh reported

Events

1. November 20, 11:30 – Lunch meeting with the Seattle City Council and King County Council members at the Seattle City Hall Boards and Commissions Room, 600 4th Ave, Seattle.
2. December 2, 4:00 – 6 PM – Legislative Forum Kirkland City Hall – 123 5th Ave, Kirkland. The event is sponsored by the Bellevue Network on Aging, the Kirkland Senior Council and Aging and Disability Services. Legislators from the 45, 48, 41, and 1st districts were invited.
3. Thursday, February 11, 2016 - AARP Senior Lobby Day
4. Thursday, February 25, 2016 – Senior Lobby Day

Regional update

Maria reported the area plan includes important objectives for King County. A small working group including ADS, Senior Services, leading age, AARP, SHAG, and several transportation providers are meeting to formalize efforts to educate municipalities and King County to recognize the work needed to accommodate the Agewave. The committee will develop a framework for work already being done by many community agencies and the Advisory Council. An action plan will be developed. As part of the plan, municipalities will be asked to assess the built environment, and the community awareness of aging issues. The education process will begin at the Nov. 20th luncheon with Seattle and King County Council members.

Legislative Meetings

The Advocacy Committee has met with 10 legislators including Congressman Dave Reichert. There are three additional meeting scheduled.

Advocacy Planning

The Advocacy Committee Planning process was tabled until the December 11th meeting – By then information from the Communication Committee will be tallied and the direction for the retreat settled. The December planning meeting will be an opportunity to delve deeper into the committee operation and the topics. Tony suggested connecting with Snohomish County for information on how their Advisory Council operates.

NW Universal Design

Tom Minty reported the NW Universal Design Council is looking for new members. The Northwest Universal Design Council will present quarterly educational programs on **January 14, April 14, July 14** and **October 13**, from 10:00–11:30 a.m. in Seattle Municipal Tower Room 4060. The January meeting will focus on pedestrian mobility with engineers from the City of Seattle.

Tom participated in an interactive event with Lighthouse for the Blind which simulated diabetic retinopathy. Participants were challenged to walk downhill, ride escalators, use the bus tunnel to ride to the international district and take bus back to downtown with limited vision. He encouraged other Advisory Council members to do the same.

Director's Report

Maureen Linehan reported

Budget Items:

1. Congress reached an agreement on the Federal budget which included raising spending caps on sequestration. This could potentially mean the OAA could receive as much as a 5% increase.
2. The Governor's budget will be completed by Christmas. DSHS asked for a \$19 million dollar expansion over two years for Washington State's Care Giver Program. DSHS expects the investment in the caregiver program will mitigate costs related to Medicaid long term care services and Medicaid funded nursing home beds. The funding will cover the cost of a caregiver assessment, caregiver coaching, educational information, care consultation, options counseling, support groups and respite.
3. Individual Providers of in-home Medicaid services recently received a ruling in their favor under the fair labor standards act. This ruling gives them the right to receive overtime pay if they work over 40 hours. DSHS expects the cost to be as high as \$13 million dollars. Implementation may begin as early as April 2016.
4. JLEC on Aging and Disability Services was renewed during the previous session. They began meeting in October and scheduled meetings for December and January. In November the Alzheimer State Plan will be discussed.
5. The State is researching options to handle the administrative work for the Individual Provider Program. Currently case managers manage Individual Providers. In the future, the state may contract with a third party to handle the administrative functions.
6. The Seattle City Council will make their final vote on Seattle's budget November 23. A request for \$250,000 for senior center social workers has been included. Another \$75,000 was allocated to the University Of Washington School Of Social Work to develop training for LGBT elders.
7. \$39,000 for the Kinship collaborator program half time staff person remains in the budget. Originally the Kinship collaborator was funded by the children's administration which eliminated the funding in June.

Update on the Case Management Program

Maureen recently learned Evergreen Care Network, one of three case management subcontractors (in addition to ACRS, CISC), will no longer act as a contractor for Medicaid Case management. The contract will end May 2016. New Evergreen Hospital administrators reviewed their core mission and found 67% of ECN's clients reside outside of the hospital district boundaries. Evergreen Hospital will continue to serve clients in the family caregiver program through the Behavioral health program.

Evergreen Care Network case management serves 1200 clients with 14 staff. More than half of the caseload is limited English speaking, mostly Russian. ADS has begun planning for an RFQ bid process for a case management provider willing to serve the Eastside. In December ADS will send out a notice funding availability. The RFQ should be posted in January and the rating process will begin in the spring. A new contract should be in place by July 2016.

CISC expressed interest in expanding their mission to include serving other ethnic groups. They have agreed to add a Russian caseload right away and a second Russian caseload will be added in January.

Announcements:

1. Tony encouraged Advisory Council members to attend the next City Council meeting on Monday, November 16 at 10 AM. The Seattle Human Service Coalition plans to attend wearing red scarves to emphasize the importance of funding for human service programs which have been cut or remain static.
2. Molly reported a meeting will be held with John Fine CEO of United Way to discuss the organization's decision to no longer fund programs serving the elderly.

**NEXT REGULAR MEETING:
December 11, 1915, Noon – 2:00 PM
700 5th Ave, Room 4060
Seattle, WA**

<http://www.agingkingcounty.org/advisory-council/>