



Good Life. Great Mission.

DEPT. OF HEALTH AND HUMAN SERVICES

Committee members present:

Colleen Claassen, Chairperson, At Large
Luana Duennerman, At Large
Ira Nathan, At Large
Charlotte Dorwart, Aging Office of Western NE
Danny DeLong, Blue Rivers AAA
Frank Herzog, Eastern Nebraska Office on Aging
Kimberly Baumann, Northeast NE AAA
Alicia Toczek, South Central NE AAA
Phil Lyons, West Central NE AAA

Absent: Sharon Busch, Aging Partners

ASL interpreters:

Ben Sparks
Roxanne Petersen

State Staff Present:

Cynthia Brammeier, Administrator
Amy Hochstetler, Information Technology Business Analyst Coordinator
Penny Clark, State Long-Term Care Ombudsman

Guests present:

Rod Horsley, Executive Director, South Central NE AAA
Erin Arensdorf, Executive Director, West Central NE AAA
Tricia Weathers, public

Call to order:

Colleen Claassen, Chairperson, called the meeting to order at 9:04 am. A quorum was present. The Open Meetings Act was posted in the room. Introductions were made in person and virtually. Guests and new members were welcomed. A roll call was made. Kathleen Kauth resigned from the committee.

Agenda:

Alicia Toczek moved, Frank Herzog seconded, to approve the agenda as presented, it was approved unanimously.

Minutes:

Frank Herzog moved, Ira Nathan seconded, to approve the minutes as presented. The vote was 7 to approve, and 2 abstentions, the motion carried.

**State Unit on Aging
Aging Advisory Committee Meeting**

Thursday, April 14, 2022, – 9 am-2 pm
South Central Nebraska Area Agency on Aging
625 E. 25th St., #12, Kearney, NE 68847
virtual meeting via WebEx.

Speakers, virtual:

Jane Bird, Winnebago Director Senior Center
Jonathan Seagrass, Legal Aid Tribal Attorney

Guests virtual:

Carla Frase, Blue Rivers AAA Executive Director
Connie Cooper, Executive Director, Northeast NE AAA
Trish Bergman, Eastern Nebraska Office on Aging
Kay Wenzl, Program Administrator, Aging Partners

State staff virtual:

Cheryl Kirby, Program Coordinator
Erik White, Nutrition Program Coordinator
Antonio Carranza, Legal
Gene Hogan, Fiscal Program Manager
Ben Stromberg, Program Manager
Matt Walters, Federal Aid Administrator

Guest Speakers / Tribal Programming

Winnebago Nebraska Senior Center Director, Janet Bird, presented programming information for the center. A brochure was distributed. Daily meals and multiple social and educational activities have been offered since 1970. Jonathan Seagrass from Legal Aid provides a monthly presentation on legal services. The center offers senior housing repairs, mowing, and snow removal. The center partners with Native Americans for Thanksgiving meals, and Christmas presents for 120 local residents on reservations. The tribes recognize age 55 as seniors, and eligible for free meals. The NENAAA dietitian approves the meals. The center is staffed with 3 from the tribal senior pilot program, and 5 more staff under the health program. The program is under the local hospital programming. The center serves about 50-86 meals per day, plus 40 home-delivered meals, for a total of 120/day.

Legal Aid of Nebraska, Tribal Services – Jonathan Seagrass, Managing Attorney, Legal Aid Nebraska Native American Program. The unit provides older Native American support by providing information that is relevant to the members.

Legal Aid is the largest law firm in Nebraska, with offices statewide, serving all 93 counties. There are about 100 staff, and about half are attorneys. Legal Aid promotes justice, and dignity, and provides free legal assistance for those who cannot afford it or cannot access it. The priority areas are housing, children & families, and public benefits. Work involved with Tribal courts includes adult guardianship, bankruptcy, and garnishments. There are 4 staff covering the state.

Services are as accessible as possible. A toll-free legal assistance hotline is available Monday – Friday. Clients can also apply online. Legal Aid tailors services to meet the needs of clients. Legal Aid maintains relationships with the tribes in Nebraska. Jonathan visits the Winnebago and Santee Reservations monthly. Other attorneys cover Omaha, Lincoln, and Scottsbluff. Native American legal services are a specialty. The federal government has plenary power in Indian affairs to the exclusion of the states. Estate planning is an important aspect of legal services. Trust land is not subject to state probate law. There is Federal jurisdiction over the land. The amount of land held on reservations has been reduced from 130M acres to less than 50M acres. The Indian Reorganization Act of 1934 hoped to correct this. Many clients have an interest in trust land, but it is highly fractioned. The 2004 American Indian Probate Reform Act attempted to remediate the fractioning. Legal Aid is working with clients to reduce further fractionation of the land in estate planning. Legal Aid writes simple wills. However, if a client has an interest in several (100+) parcels of land, it can take 3-5 hours. If someone dies intestate, the firstborn child inherits all interests in trust land under 5%.

Tribal allocations from ACL were shared: <https://acl.gov/sites/default/files/about-acl/2021-04/TITLEVI-NSIP-Supps-2020-21.pdf>

Nominations, 2022-24 officers

The slate of officers was presented. Nominations and votes for the executive committee were as follows: Chairperson – Colleen Claassen, 9 votes; Vice-Chair – Shari Busch, 8 votes; Alicia Toczek, 1 vote; and Legislative Chair – Danny DeLong, 9 votes. The executive committee for 2022-2024 will be: Colleen Claassen, Chair; Shari Busch, Vice-Chair; and Danny DeLong, Legislative Chair.

AAA Services update – Rod Horsley, SCNAAA reporting

Agencies reported:

- AAAs will receive ARPA funds soon. The agencies are looking at ways to spend these funds. This is more at once than we have ever received.
- All agencies are working on annual area plan updates and FY23 budgets.
- Governing boards are approving FY23 budgets.
- Senior centers are open; meal attendance is normalizing, To-Go meals are popular
- Volunteers are needed statewide
- Staff recruitment is taking a lot of time
- All areas will host listening sessions for the statewide survey in May.
- Food and fuel are creating issues for home-delivered meal programs.
- AAAs and the SUA met on the Intrastate Funding Formula changes. The public hearing is scheduled for 4/27.
- AAAs are working with the Waiver staff on Level of Care (LOC) changes and learning a new documentation system and person-centered program.
- LB856 will change how ADRC funding is routed, shifting from a requirement to route all funds through AAAs to permit the SUA to fund partner organizations directly.
- Online classes, through the GetSetUp platform, were introduced by the SUA on March 30. Most classes are individuals, but several lend themselves to group viewing. GetSetUp classes help improve digital literacy, address social isolation, teach about fraud protection, and offer a multitude of class topics. This is a good place to send people worried about fraud or who need to learn how to use their devices.

COVID updates

The Nebraska population age 65+ is 95% vaccinated with one dose, 91.5% fully vaccinated, and 76.9% have a booster dose.

Legislative Updates 2022

As mentioned, LB 856 makes changes to the ADRC funding stream. It was presented to the Governor on April 12.

SUA Updates: Cynthia Brammeier

Funding: The funding report for the time period of July 1, 2021, to December 31, 2021, was distributed. This is also posted on the public website at <https://dhhs.ne.gov/Pages/Aging-Program-Documents.aspx> .

Elder Justice training is scheduled for 8/10/22. The agenda was distributed. This will be available on the public website at <https://dhhs.ne.gov/Pages/Aging-Elder-Justice-Training.aspx> . Continuing education credits will be available to professionals. Training is free and will be live cast from the Nebraska Public Media studio in Lincoln.

GetSetUp.io – The contract was signed and began in March. These are online technical skill-building classes taught by and for persons age 50+. This helps adults improve their digital literacy and learn new skills. These skills can help someone learn how to use telehealth visits with their doctor or socialize online with others across the globe. The platform is available in 160 countries, serving 4.5 million seniors in four languages at this time.

Legal Risk Detector – This contract was signed in March. This is an online assessment platform developed through a grant from the Department of Justice. It guides someone working with a senior through questions that will identify if they need to see an attorney or not, and how severe the issue may be. It refers the client to an attorney for legal services. The SUA is partnering with Legal Aid for the pilot and legal services. AOWN and ENOA are piloting this program for the first year. The plan is to recruit enough legal resources, that the program can be available to all AAAs, the Ombudsman, and other agencies in the second year.

Bar code scanning project – The SUA-sponsored software, PeerPlace, has a bar code option for senior center activities. It uses bar codes and scanners in place of paper sign-in sheets at the local level. Data entry becomes automated. AOWN and Midland AAA will begin piloting this software in the coming months.

State and Area Plans FY2023-2027 – The State is required to submit a 4-year State Plan to the Administration for Community Living in order to receive funds under the Older Americans Act. Area Agencies are required to submit a 4-year area plan to the State in order to receive funds from the Older Americans Act. In 2023, both the State and area plan process timing will coincide. The State plan final draft will be due in March 2023, finalized in June 2023, for the period of October 1, 2023, through September 30, 2027. The AAA area plans will be due to the State in April 2023, for the period of July 1, 2023, through June 30, 2027. This timing was intentional, and through long-term planning, statutory and regulation changes, the full composite of programs the SUA funds to AAAs will be in one document, due and tracked in one set over the 4-year Area Plan project period.

Surveys through UNO Gerontology – To support the new 4-year State and area plans, the SUA contracted with the UNO Department of Gerontology, College of Public Affairs and Community Service (CPACS), to conduct surveys of seniors across the state. UNO is aiming for 2,200 surveys statewide with representation from all 8 service areas. An online survey was offered, paper surveys were mailed to non-responders, and 18 in-person listening sessions will be held in May 2022. This is the first time Nebraska has conducted a statewide survey of all service areas with the same set of questions. In 2012, 5 of the 8 AAAs pooled resources to conduct a similar effort. Advisory Committee members are encouraged to participate in listening sessions in their area. Information is available online at <https://www.unomaha.edu/college-of-public-affairs-and-community-service/gerontology/engagement/listening-sessions.php>. This information will be used to assess current services, identify gaps and needs and develop the new State and area plans for 2024-2027.

State Long-Term Care Ombudsman, Penny Clark– The FY21 Annual Report was distributed. It is available online at <https://dhhs.ne.gov/Pages/Aging-Ombudsman.aspx>. Facilities are open and Long-Term Care Ombudsmen are meeting in person again. The LTCOP serves 15,500+ nursing home residents and 13,300 assisted living residents. Highlights of the annual report include several increases. In SFY21, there were

- 1,492 facility visits by 3 state staff, 4 AAA staff, and about 80 volunteers. Omaha has about 50 volunteers. This was an increase of about 300 visits.
- 1,133 complaints. This was an increase of about 300.
- 26 community education sessions. This was double the prior year's activity.
- 78 resident council sessions. This was three times the prior year's activity.

Most complaints originate from residents. The top five concerns are:

1. Care
2. Autonomy
3. Admission, transfer, discharge, eviction
4. System and others
5. Abuse, gross neglect, exploitation

Seven facilities closed in 2021 (nursing homes and assisted living). Since January 2022, 10 more facilities have closed. Closures are more frequent in smaller, rural communities.

The National Consumer Voice for Quality Long-Term Care summarized proposed nursing home reforms from the Biden-Harris administration. These are suggested regulation changes for nursing homes. There are no regulations for assisted living facilities. Nursing home regulations and changes include:

- Safe, adequate care, including staffing ratios, room ratio of 3 or less, preferably single rooms; medication safeguards, to avoid overuse.
- Accountability and oversight, including inspections, performance, chain owner information, and technical assistance.
- Transparency, including a database of owners and finances, improving care compare, and private equity.
- Union options for employees.
- Pandemic and emergency preparedness, including COVID-19 testing and vaccinations, and onsite infection prevention.

CMS will enhance nursing aid training. There are internships through the colleges for facilities. Certified Nursing Assistants (CNA) certification requires 75 hours of training. Medication Aid training requires an additional 140 hours.

Items of interest:

- Mortality rates for medically fragile moved between facilities is 50%-60% within a year.
- The Legislature passed and overrode the veto to increase provider rates by 15%.
- Most facilities are housing mental health clients.
- More volunteer Ombudsmen are needed. Email Penny Clark if you are interested.
- Frank Herzog serves as a LTCO in Omaha. Frank enjoys the work; volunteers are encouraged to visit once per week at various times. The work is rewarding. The impact of a volunteer LTCO will depend on the relationship the LTCO has with the facility.
- The governing agency for the Nebraska LTCOP is DHHS. It is an independent office.
- The LTCO is a representative of the resident and their rights. This includes a variety of issues that affect where and how someone ages.
- Assisted Living facilities have no federal guidance.

Service Area Reports:

See the collective list of AAA Services Report by Rod Horsley.

Additional information by service area:

Blue Rivers – Carla Frase, Executive Director, reported an expansion of meals in Table Rock, and Syracuse. BRAAA is waiting for 8 new busses from NE DOT. These are experiencing 2020 delays. All busses have 150k miles and need repairs. The staff is doing a lot of meal delivery. Three site manager positions sites were open last week. On Tuesday UNL conducted a Law clinic. Ryan Sullivan brought students and served 22 people. The interaction was excellent between students and

clients. BRAAA feels good about how it went. They are incorporating issues from the FY22 monitoring report into area plan updates and increasing pay for staff.

ENOA – Trish Bergman, Executive Director, reported ENOA is holding the second annual Spirit of Aging awards. There are 4 awards: Distinguished Donor – Physicians Mutual – Meals on Wheels financial and driver support. Distinguished in Healthcare – CHI Health Faith Community Health Network – over 80 faith community nurses. Distinguished Advocate – Dr. Christopher Kelly (UNO). Distinguished Volunteer – Mary Evans Ombudsman Volunteer almost 20 years. A reception is being held next week to present the awards. Jeff Reinhardt, Public Affairs Director and editor of ENOA's newspaper, New Horizons, will be retiring the end of June. April is volunteer month, so ENOA did a large campaign to celebrate the many volunteers. One activity was a joint effort with UNO students to produce an animated video regarding the volunteer programs at ENOA. At the federal level, the Senior Corps has increased funding in FY22. Senior Companion & Foster Grandparents volunteers will get a \$0.15 increase on their stipend. Transportation has increased by 53%. The UNO Listening sessions for the statewide survey added a North Omaha site at the request of a participant.

NENAAA – NENAAA – Connie Cooper, Executive Director, reported their excitement that Kim Baumann joined the Aging Advisory Committee. Kim is an RN and worked as a service coordinator in the Medicaid Waiver program at NENAAA. To follow up on Janet, and Jonathan's reports - NENAAA contracts with Santee & Winnebago senior centers. NENAAA provides reimbursement for non-native American meals. NENAAA has 2 contracts with Legal Aid, and 1 is for Native Americans. Law clinics are held for Native American elders, outreach and information and assistance. Ryan Sothan, with the Attorney General's office, is providing training for seniors on 6/21, titled Safety in Numbers: Four Lessons in Cybersecurity. Seniors and their adult children can look at and address scams. Another series Ryan will offer is Crossing the Digital Divide, a 3-part series includes the basic fundamentals of digital devices, getting online, surfing, and email. This is scheduled for the fall. Connie thanked the committee and members for helping with the letter to ACL about keeping To-Go Meals. The committee received a nice letter from ACL in response. The long-term care coordinator, Rich Brandow, is retiring at the end of August, after 20+ years.

South Central – Rod Horsley, Executive Director, reported they were working with the University of Nebraska – Kearney (UNK) on a grant for GrandPads, and students to work with clients. UNK did not get the grant but will buy 10 GrandPads with local funds. SCNAAA's Living Well classes are in process. The Kearney Housing Authority will host Living Well classes in May. SCNAAA will offer Diabetes management classes.

West Central – Erin Arensdorf, Executive Director, reported hiring a new public benefits specialist for Medicare, Senior Health Information Program (SHIP), and Senior Medicare Patrol (SMP) programs. Open enrollment went well. WCNAAA hired a new program coordinator to oversee the senior centers, a former senior center director (20 years). WCNAAA is working to offer Stepping On in senior centers. Additional senior center directors are now trained. The Mullen nursing home closed. Five local Churches are helping with meal deliveries. A Legal Clinic is scheduled for July in Lemoyne (Lake McConaughy).

Aging Partners — Kay Wenzl, Assistant Director, reported the City of Lincoln budget is in process. Staff nurses are visiting rural clients. Foot clinics are popular. AP is also waiting on a rural transit vehicle. AP is working on the upcoming move to the Victory Park campus (70th & O). Nutrition

training is offered next week, with speakers on HIPAA / client confidentiality, and DHHS food safety inspector. AP is coordinating with the Lincoln Lancaster Health Department (LLHD) on vaccination booster clinics. They are recruiting volunteers; SUA staff are helping. AP will move to Victory Park in the fall (70th & A Streets). This will include the central kitchen, the downtown senior center will relocate, the health and fitness center, social work, care management and administrative staff.

Member Reports

Colleen Claassen, Committee Chair, reported she is retiring July 1.

Luana Duennerman reported on two events:

- Thrive retirement event scheduled for 5/18 @ 9-2, at the Lancaster event center.
- Town Hall, Tuesday, May 24, 2022 – 6:00 pm to 7:30 pm NE Commission for Deaf and Hard of Hearing, with Kevin Bagley, MLTC Director. The topic is communication in the medical setting.

Ira Nathan handed out materials and reported on the Elder Justice Training held in 2021, specifically Paul Greenwood, a California prosecutor presented on elder abuse. Paul is on YouTube regarding financial abuse. Financial abuse was estimated at \$36.5B. All are encouraged to learn how to report it. Ira is interested in bringing in someone to talk about elder abuse and how to report it. AARP recently included a program - Wish of a Lifetime presented by Jared Bloomfield. Senior centers could nominate people. Gardening and genealogy are the top 2 hobbies for seniors. Omaha is setting up a genealogy club and is interested in Senior Center participants. ENOA's newsletter featured an interview with Ira.

Charlotte Dorwart - Aging Office of Western Nebraska, reported a new nutrition coordinator was hired internally. AOWN is purchasing Chromebooks. AOWN is looking at purchasing devices for clients. They may be furnished to the visually impaired, and deaf clients. AOWN is modernizing the conference room, and going paperless with Chromebooks. The Scottsbluff Fire Department is interested in helping seniors and the disabled and is purchasing Knox HomeBox™. The box fits over the front door and is a lockbox with a house key – the Fire Department and Ambulance have a master key to the box. Landlords in Scottsbluff are supportive. Grant funds will pay for the boxes.

Danny DeLong, Blue Rivers Area Agency on Aging, reported meeting with Carla on Monday. The UNL Legal Clinic was just finishing up. BRAAA has contracted with a local attorney for senior legal help. The AAAs pay to support the Elder Access Line, with Legal Aid of Nebraska, answering the phones about 130 hours/month for this statewide service. Clients need more access to legal services. BRAAA is advertising for in-home services.

Frank Herzog, Eastern Nebraska Office on Aging, and LTCO. Frank reported on the shortage of staff in nursing homes. Frank visited the Florence senior center. Florence is small and operates with 1 staff and 1 volunteer. They lost several people during covid, some permanently. The new director is energetic. The senior center is in a multi-generational community center in Florence that includes a library, a gym, and an activities room. The center is open 25 hrs./week. The average is 14 meal clients/day. They serve a hot meal if there are 10 people. No To-Go meals are served now. The center did gain new faces during covid. Several social activities are offered during the week. They offer food pantry distribution, and a community food distribution program. Heather Cuff is the new director. ENOA covers 25% of her funding. The center was friendly, open and relaxed place. Several participants walk or bike to the center.

Kimberly Baumann, Northeast Nebraska Area Agency on Aging, is a new member to the committee. Kim grew up in Northeast NE and retired from nursing. She worked in geriatric health care during her career. Kim worked as a services coordinator at NENAAA. Kim served the Native American Reservation territory during her career at NENAAA. It was an educational and rewarding career. Connie Cooper recruited Kim to join the committee. Aging services offered are not well known by elders' family members. Elders often don't ask for help. Kim is married, has 3 children (all are married), and a new grandchild.

Alicia Toczek, South Central Nebraska Area Agency on Aging, reported the National Able worker was gone with no notice. Private funding of their milk supply was reduced by 50%. They are experiencing a monthly \$800-900 deficit. There is limited or no monetary support from the city or county budgets. Holiday fundraisers were not held, and local donations are down. The county gave raises and cut local support to senior centers. They are encouraging stocking up when food is on sale. The Sunflower group, and the senior center director association is active, and a conference is scheduled. More advocacy for senior centers and the elderly is needed. A marketing campaign would be helpful to re-energize and re-introduce program needs. Alicia received a scam call about borrowing money for a small business using the Senior Center name for an SBA loan application.

Phil Lyons, West Central Nebraska Area Agency on Aging, is new to the committee. Phil has been an attorney for 41 years and lives in McCook. He has served 30 years as the deputy county attorney. Phil has done criminal defense work. Phil is married and has 3 children. His wife works at the library.

Questions, Public Comment

Tricia Weathers requested the Elder Justice training link.

Other Business -

Frank Herzog mentioned the Nebraska Social Security income tax will be reduced to 0 by 2025. A question was asked about senior centers' funding. Funding of senior centers varies between AAAs, and between centers. Those associated with a city or county often receive more, and some get more local funding. Presenting the benefits of the center programs to the local city/town/county can help build those relationships, awareness, and funding.

Next Meeting: The next meeting will be held on October 6, 2022, 9am-2pm, at the South Central Nebraska Area Agency on Aging in Kearney.

Speaker suggestions:

- Updates on GetSetUp classes
- Adult Protective Services (APS) reporting and the process
- Medicaid Non-Emergency Medical Transportation (NEMT) issues. Hospital discharges, with no pick-up. (Medicare / Medicaid dual-eligible clients)
- Senior Health Insurance Information Program (SHIP). Jon @ Insurance
- Broadband progress statewide
- Survey reports from UNO

Adjourn: The meeting was adjourned at 1:56 pm.