

RESIDENTIAL FACILITIES ADVISORY COMMITTEE (RFAC) MEETING

(Via Teleconference)

August 19, 2016

at the

Office of the Long-Term Care (LTC) Ombudsman

Training Room

3855 Wolverine NE, Suite 6

Salem, Oregon 97305

MINUTES

MEMBERS PARTICIPATING:

Michele Edwards, Chair
Betsy Welch, Vice Chair
Teena Ainslie
Bill Bard
Jan Friedman
Tom Giles

STAFF PARTICIPATING:

*Fred Steele, Director/State LTC Ombudsman
*Travis Wall, Oregon Public Guardian
*Rebecca Fetters, Deputy Director
*Toni Larson, Residential Facilities Ombudsman
*Mary Ann Lebold, Committee Administrator and
Office Manager

MEMBERS ABSENT:

Kelly Breshears
Claudia Kyle

CALL TO ORDER: Ms. Edwards called the meeting to order.

COMMITTEE BUSINESS - APPROVAL OF JULY 15, 2016 MINUTES: Mr. Bard suggested a minor edit that does not change the substance of the minutes and Travis Wall asked that the fifth sentence in the second full paragraph on page 2 be changed to read: Mr. Wall continues to work with the multi-disciplinary teams in Marion, Lane and Clackamas Counties. Ms. Ainslie moved that the minutes of the July 15, 2016 meeting be approved as corrected. The motion was seconded by Judge Welch and passed.

ANNOUNCEMENTS: Mr. Bard said that the entire Committee feels a deep sense of loss at the death of State Senator Alan Bates. Senator Bates was an ardent and vocal supporter of the work, mission and success of the LTCO program. He will be sorely missed by the citizens of Oregon that he served.

OLD BUSINESS – ORGANIZATIONAL REVIEW: Ms. Edwards explained that there is no specific language in the Committee Bylaws or Oregon State Statute requiring provision of an annual report to the Governor and Legislature but there has been a long history of the Committee providing a written report annually to the Governor and Legislature. Ms. Edwards and Judge Welch have been in touch with agency legal counsel at the Department of Justice to confirm though that a written report is appropriate. Discussion followed leading to consensus that an annual report to the Governor and Legislature should be prepared.

Ms. Edwards proposed that the work plan required by Section II.F.7 of the Committee Bylaws be discussed in the September meeting. Ms. Ainslie so moved. The motion was seconded and passed. Ms. Lebold will research when language about preparation of an annual work plan was added to the Committee Bylaws and attempt to locate language in Committee minutes that more fully explains the intent of this paragraph.

REBECCA FETTERS, DEPUTY DIRECTOR: Ms. Feters asked Committee Members to review the Volunteer Monthly Report for August 2016. There are several Certified Ombudsman trainees who have completed training but are not yet certified who will be shown as Certified Ombudsmen in the September Report. The scheduled Certified Ombudsman trainings for the remainder of 2016 will occur as planned since there are enough applicants ready for training to fill each scheduled session. The LTCO continues to receive about eight volunteer applications per month.

Ms. Feters continues to track 2015/2017 expenditures. She described the current state of the agency budget.

The LTCO's Agency Requested Budget (ARB) for 2017/19 is due September 1. The LTCO's ARB includes five Policy Option Packages (POPs) which address: the deficit in LTCO travel expenses and the need for additional LTCO staff; increased limitation for the RFO program so that all of the Quality of Care Fund moneys can be spent; an expansion of the OPG requesting eleven FTE for the program; and additional funding for IT support for all three programs. Ms. Feters described the agency's proposal to reduce expenditures by 10% should such a reduction be needed. In response to a question from Ms. Edwards, Ms. Feters explained the budget process following the September 1 submittal. She reiterated the importance of timely reporting by Certified Ombudsmen throughout the year in support of programmatic budget requests.

The RFP for IT support will close August 22. A review panel will evaluate the proposals. Since two different channels have been pursued to redesign the LTCO web site without finding a suitable solution, Ms. Feters is now reaching out to vendors for basic minimal website redesign.

Ms. Edwards thanked Ms. Feters for her willingness and ability to take on multiple requests from state agencies and her diligent work on those additional projects.

TONI LARSON, RESIDENTIAL FACILITIES OMBUDSMAN (RFO): The entire RFO staff will return to Eastern Oregon next week and will concentrate on various communities in Eastern Oregon where they will visit homes and continue work on open cases. She attended the monthly statewide managers meeting for Community Developmental Disabilities Programs to provide information regarding the program. Meetings with individual county offices are being conducted as the program begins in each community. She described positive interactions with providers in Wallowa County. She described about the work staff is doing on current cases.

Judge Welch commented that it appears that things are going very well. Ms. Larson responded that the Deputy RFO staff are more energized with every trip and continue to build

infrastructure. The RFO deputies have been successful in entering facilities and developing relationships with residents and providers.

Ms. Edwards thanked Ms. Larson for her presentation.

TRAVIS WALL, OREGON PUBLIC GUARDIAN (OPG): Mr. Wall recently met with the Directors of Legal Aid Services of Oregon and Disability Rights Oregon (DRO), to discuss their provision of legal representation to proposed protected persons who are otherwise not represented. Multi-disciplinary High Risk Teams continue to be developed.

Mr. Wall described current efforts to enhance the OPG. He continues to work with the Department of Administrative Services (DAS) and Oregon Department of Justice (DOJ) to prepare a request for proposals (RFP) to solicit an automated case management system. He discussed the legislative concept (LC) to clean up the OPG statute and talked about resolving problems with Oregon State Treasury around the OPG's need to deposit client, not state, funds into accounts. The LTCO ARB will include a POP requesting eleven additional full time positions.

UPDATE FROM INTERNAL FOCUS GROUPS (IFG): DATA IFG: Mr. Bard and Mr. Giles expressed their appreciation of the work that Ms. Fetters has done to prepare very detailed information about the LTCO's data gathering.

Other Internal Focus Group reporting was deferred to Mr. Steele's presentation due to overlap of content.

FRED STEELE, DIRECTOR/STATE LTC OMBUDSMAN: Mr. Steele described the changes at the Department of Human Services where licensing functions for DD and APD have been removed from the Office of Licensing and Regulatory Oversight and placed back in their respective programs.

Mr. Steele asked Committee members to review the Organizational Chart distributed in advance of today's meeting and made himself available to answer Committee Member questions. He believes the Organizational Chart is an accurate depiction of how the agency staff works together. The management staff continues to discuss the Organizational Chart. The Organizational Chart will reflect change if the POPs are successful.

Work on the agency's Strategic Plan, Mission and Vision were paused while the management team discussed the plan and the individual programs focused on their work. Conversations around plan language have restarted. Mr. Steele hopes to have a Strategic Plan, Mission and Vision to share with Committee Members soon.

Mr. Steele was contacted by Governor Brown's Housing and Human Services Policy Advisor and asked to reduce the number of LCs presented. State Senator Michael Dembrow will introduce two of the concepts that the LTCO was considering presenting: one regarding court visitors' standards, and one to mandate legal counsel for proposed protected persons facing public guardianship. The LCs around marijuana use in LTC facilities and around move-out

notices have been withdrawn. Mr. Steele described the four remaining LCs that the LTCO will put forward in the 2017 legislative session.

The final report from the Housing with Services Task Force will be available soon. Mr. Steele will share the report with the Committee. Language with regard to the Ombudsman role has not changed. Task force members believe that Ombudsmen would be a good resource for residents but that the Ombudsman program could not take on the expanded advocacy role without additional funding to support the necessary required staff and volunteers.

Mr. Steele gave Legislative updates. The office of State Representative Mike McLane is expected to provide the name of his appointee to this Committee soon. State Representative Alissa Keny-Guyer has agreed to meet with the Certified Ombudsmen in Multnomah County at their October meeting. Last week, State Representatives Caddy McKeown and Alissa Keny-Guyer convened the first meeting of those interested in a Memory Care Task Force. Mr. Steele recently met with State Senator Jackie Winters who served as an Ombudsman many years ago and continues to have interest in the Ombudsman program and the public guardian program. Mr. Steele will advise Committee Members of the public memorial that will be held to honor State Senator Alan Bates. With the passing of State Senator Bates and State Representative Nancy Nathanson's new role as Ways and Means Co-Chair, there will be two new Co-Chairs for the Committee on Ways and Means Subcommittee on Human Services.

Dick Weinman, Professor Emeritus at Oregon State University and now a resident of an assisted living facility in the Willamette Valley, was asked to participate in a national webinar where he will provide a resident perspective. Certified Ombudsman Robynn Pease will assist Mr. Weinman with his participation in the webinar.

Mr. Steele continues to keep in touch with Serena Stoudamire Wesley, Governor Brown's Director of Equity and Community Engagement, to be updated on the Governor's potential appointments to this committee.

Ms. Edwards asked that Committee Members be kept up to date on possible re-districting in the LTCO program.

Ms. Edwards reviewed the items proposed for the September agenda and asked Committee Members to send their suggestions for that agenda to her.

Today's meeting was adjourned at approximately 11:00 AM.