Aging and People with Disabilities

Joint Ways and Means Subcommittee on Human Services
Ashley Carson Cottingham, Director
Aging and People with Disabilities
March 15 and 16, 2017
APD presentation outline

Day 1
- Goals
- Approach
- System
- Safety
- Licensing

Day 2
- Services
- Accomplishments
- Challenges
- Investments
- Budget and KPMs
Aging & People with Disabilities (APD)

- Oregon’s older adults, people with disabilities and their families have easy access to services, supports and early interventions that help maintain independence, promote well-being, honor choice, respect cultural preferences and uphold dignity.
Aging & People with Disabilities Goals

- Ensure the safety and protection of the population we serve with a focus on prevention.
- Facilitate broad awareness of, and easy access to, services.
- Invest in preventive services to keep people independent, healthy and safe for longer periods of time.
- Provide person-centered-services and supports.
- Serve people in an equitable and culturally sensitive manner.
- Promote high quality services by APD, its local partners and providers.
- Increase advocacy efforts to improve outcomes for APD consumers.
- Administer programs with the utmost integrity.
The Population is Aging

Growth in 65+ and 85+ Oregon population

Source: Oregon Office of Economic Analysis
Crisis in retirement savings

USA Today
Most Americans have less than $1,000 in savings

The Motley Fool
Half of American baby boomers face a frightening retirement reality

The New York Times
What, Me Worry? When It Comes to Retiring, Yes

USA Today
For your retirement planning, count on living until age 95

CNN Money
1 in 4 people have almost nothing saved for retirement
A Social Model of Services

- Holistic assessment
- Strengths based service planning
- Value a person’s choice, dignity, and self-direction
- Balance paid services with natural supports
- Resources to keep people independent, healthy, and safe
Oregon’s Long Term Care System

- Oregonians served
  - 76,000 Aging & Disability Resource Connection
  - 258,000 in OAA
  - 4,000 in OPI
  - 163,000 Financial eligibility (Medicaid, SNAP)
  - 13,000 Adult Protective Services investigations
  - 20,000 Medicaid LTC in in-home services
  - 11,000 Medicaid residents in community-based care
  - 4,770 Medicaid residents in nursing facilities
  - 38,296 Licensed beds
  - 163,000 Financial eligibility (Medicaid, SNAP)
  - 13,000 Adult Protective Services investigations
  - 20,000 Medicaid LTC in in-home services
  - 11,000 Medicaid residents in community-based care
  - 4,770 Medicaid residents in nursing facilities
  - 38,296 Licensed beds
Laws Passed in 1965 - The Vision for Older Americans

Medicare

Older Americans Act

Medicaid
Where We Serve Oregonians
The Aging Services Network

Aging & People with Disabilities (State Offices)

Area Agencies on Aging (AAAs)

Type A (Non-Medicaid – OPI / OAA)

Type B (Medicaid, OPI, OAA, APS, etc.)
How Do I Navigate the System?

adrcoforegon.org  1-855-ORE-ADRC  1-855-673-2372
The Services We Offer
Adult Protective Services Investigations

Elder Abuse – Types of Adult Abuse

• Financial exploitation
• Physical abuse
• Sexual abuse
• Emotional abuse
• Abandonment
• Wrongful restraint
• Involuntary seclusion
• Neglect
• Self neglect

To Report Abuse:
Statewide # 1-855-503-SAFE
Adult Protective Services

2016 APS Office Workload

Local offices received 33,227 calls
Resulting in 18,175 allegations
Contained in 13,455 investigations
With 4,802 substantiated allegations
Community Abuse Investigations

- Abuse allegations have increased by 35% since 2011 by Community Adult Protective Services.

- Economic forecasts project the older adult (65+) population in Oregon to continue increasing through 2022 by an average of 3.83% per year.
  - This increase is attributed to an aging population, and migration from other parts of the country.
Centralized Abuse Management System
Staff in our program have an unwavering commitment to the safety, independence, choice and dignity of vulnerable Oregonians in our licensed care settings.
## Pressure on Licensing Staff

<table>
<thead>
<tr>
<th>Settings</th>
<th>Number of facilities</th>
<th>Memory Care Endorsed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nursing Facilities</td>
<td>137</td>
<td>11</td>
</tr>
<tr>
<td>Assisted Living and Residential Care Facilities</td>
<td>518</td>
<td>186</td>
</tr>
<tr>
<td>Adult Foster Homes</td>
<td>1,609</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Compliance Tools

- Licensing Complaint Unit (phone/email)
- Surveys
- Civil penalties
- Licensing conditions
- Letters of Agreement
- Suspension/Revocation/Non-Renewal of a license
- Department-approved consultant
Civil Penalties – All Settings

Civil Penalties All Settings
# Penalties Imposed

<table>
<thead>
<tr>
<th>Setting</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>AFH</td>
<td>195</td>
<td>195</td>
</tr>
<tr>
<td>CBC</td>
<td>215</td>
<td>198</td>
</tr>
<tr>
<td>NF</td>
<td>129</td>
<td>167</td>
</tr>
</tbody>
</table>
Immediate Suspensions

Adult Foster Homes

<table>
<thead>
<tr>
<th>Year</th>
<th>Suspensions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>11</td>
</tr>
<tr>
<td>2016</td>
<td>19</td>
</tr>
</tbody>
</table>
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The Services We Offer
Aging & Disability Resource Connection - Highlights

• **76,213** - # of calls to local ADRCs, including 1-855-ORE-ADRC
• **735,022** - # of web hits
• **24%** - % of information and assistance/referral consumers in rural/frontier communities
• **73%** - Options counseling consumers who report greater independence as a result of ADRC services
• **11.5%** - % of information and assistance/referral consumers who are of racial or ethnic minorities
Older Americans Act

- Delivered through Area Agencies on Aging (AAAs)
- Keep seniors safe and independent
- Federal funds
- Not means-tested
- 2.6 million meals (home-delivered and congregate)
- 477,000 hours homemaker/personal care services
- 25,000 sessions nutrition education
- 23,000 trips assisted transportation
Oregon Project Independence

- State funded program
- Reduces risk of more costly, out-of-home placements
- Only 19% of those served ended up on Medicaid services
- Average cost-per-case is $332, consumers pay on sliding scale
Medicaid & Financial Eligibility

- Supplemental Nutritional Assistance Program (SNAP)
- Medicaid as primary health care
- Medicare Savings Programs
- Medicare Part D Assistance
Medicaid Long Term Care

• Long term services and supports for individuals who meet financial eligibility & nursing home level of care

• If eligible, Medicaid pays for activities of daily living and other supports
## Service Priority Levels (SPLs)

### 411-015-0010 Priority of Paid Services

<table>
<thead>
<tr>
<th>Level</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Requires Full Assistance in Mobility, Eating, Elimination, and Cognition.</td>
</tr>
<tr>
<td>2</td>
<td>Requires Full Assistance in Mobility, Eating, and Cognition.</td>
</tr>
<tr>
<td>3</td>
<td>Requires Full Assistance in Mobility, or Cognition, or Eating.</td>
</tr>
<tr>
<td>4</td>
<td>Requires Full Assistance in Elimination.</td>
</tr>
<tr>
<td>5</td>
<td>Requires Substantial Assistance with Mobility, Assistance with Elimination and Assistance with Eating.</td>
</tr>
<tr>
<td>6</td>
<td>Requires Substantial Assistance with Mobility and Assistance with Eating.</td>
</tr>
<tr>
<td>7</td>
<td>Requires Substantial Assistance with Mobility and Assistance with Elimination.</td>
</tr>
<tr>
<td>8</td>
<td>Requires Minimal Assistance with Mobility and Assistance with Eating and Elimination.</td>
</tr>
<tr>
<td>9</td>
<td>Requires Assistance with Eating and Elimination.</td>
</tr>
<tr>
<td>10</td>
<td>Requires Substantial Assistance with Mobility.</td>
</tr>
<tr>
<td>11</td>
<td>Requires Minimal Assistance with Mobility and Assistance with Elimination.</td>
</tr>
<tr>
<td>12</td>
<td>Requires Minimal Assistance with Mobility and Assistance with Eating.</td>
</tr>
<tr>
<td>13</td>
<td>Requires Assistance with Elimination. (13 is current cutoff for Medicaid)</td>
</tr>
<tr>
<td>14</td>
<td>Requires Assistance with Eating.</td>
</tr>
<tr>
<td>15</td>
<td>Requires Minimal Assistance with Mobility.</td>
</tr>
<tr>
<td>16</td>
<td>Requires Full Assistance in Bathing or Dressing.</td>
</tr>
<tr>
<td>17</td>
<td>Requires Assistance in Bathing or Dressing.</td>
</tr>
<tr>
<td>18</td>
<td>Independent in the above levels but requires structured living for supervision for complex medical problems or a complex medication regimen.</td>
</tr>
</tbody>
</table>
Caseload Forecast 2017-19

- In-Home, 19982
- Community Based Care, 12456
- Nursing Facility, 4123
Community First Choice – Medicaid State Plan Option

The K State Plan Option provides an enhanced 6% in federal matching funds for eligible services.

- 2013-15: $67.6M
- 2015-17: $87.1M
- 2017-19: $105.3M

(APD portion only)
General Assistance Program – Housing Status

Housed: 35
- 25 rent rooms
- 3 in apartments
- 5 in mobile park/ trailer space/ RV
- 2 in long-term hotel/motel

Unhoused: 19
- 8 couch surfing
- 5 on the streets/outside
- 2 in shelters
- 1 in trailer (no hookups) (5%)
- 1 in a garage (5%)
- 2 unknown (11%)

Housing cases: 54
- Housed: 35 (65%)
- Unhoused: 19 (35%)
Presumptive Medicaid Disability Determination Team

Presumptive Medicaid Referrals, Pending and Processed Cases 2012-2016

Processed | Pending | Referrals
Disability Determination Services

- 100% federally funded
- Medical determination for Social Security disability benefits
- 203 staff
- 53,000 claims annually
- Cash and medical coverage provided to recipients
- $176.8 Million benefits monthly in Oregon
Accomplishments

• New Department of Labor (DOL) regulations implementation
• Live-in program reduction
• Home and Community Based Services (HCBS) transition plan
• Regulatory improvements / Client Safety
• Aging & People with Disabilities (APD) waiver renewal (met all Centers for Medicare & Medicaid Services [CMS] assurances)
• Automated Survey Processing Environment (ASPEN) implementation for Adult Foster Homes
Sustainability Initiatives

- More clearly define nursing facility level of care
  - Improve case managers’ ability to assess consistently
  - Manage caseload growth rather than cutting Service Priority Levels (SPLs)
  - Revised definitions around Activities of Daily Living

- Ongoing time study

- Changes for the remaining consumers in Live-In service option

- More Quality Assurance reviews of annual assessments

- Separation of ongoing case management from annual assessment
Unfunded Mandates

• **Cost of Department of Labor Rule**
  – Fair Labor Standards Act (FLSA) Rule requires paying at least minimum wage for all hours worked at, including standby
  – APD reduced cost by changing live-in service option and capping overtime allowed
  – Cost: $19.4 million

• **Home & Community Based Services (HCBS) Settings Regulations**
Department of Human Services
2017-19 Governor's Budget
Total Fund by Program Area
$11.26 Billion

- Aging and People with Disabilities
  $3.42 Billion
  30%

- Intellectual & Developmental Disabilities
  $2.71 Billion
  24%

- Central & Shared Services, State Assessments & Enterprise-wide Costs and Program Design Services
  $793.8
  7%

- Self Sufficiency
  $3.18 Billion
  28%

- Child Welfare
  $1.05 Billion
  9%

- VR Basic Rehabilitative Services
  $114.0
  1%
Aging and People with Disabilities
Total by Program
$3.42 Billion

In-Home Care
$1.14 Billion
33.2%

Community Based Care
$848.3
24.8%

Nursing Facilities
$809.3
23.7%

Misc. Other Services
$69.5
2.0%

APD Program Delivery & Design
$491.0
14.4%

Disability Determination Services (DDS)
$18.0
0.5%

DDS Program Delivery & Design
$43.7
1.3%
Aging and People with Disabilities
Total by Fund Type
$3.42 Billion

- General Fund
  $992.0
  29%

- Federal Fund
  $2.21 Billion
  65%

- Other Fund
  $218.3
  6%
DHS APD Direct Payments and Services
2017-19 Governor’s Budget

Department of Human Services

Note: 97.51% of budget is direct services or direct payments to clients or providers
KPM #10 LTC Need Prevention

% Of Seniors (65+) Needing Publicly funded Long-term Care Services

Time Period: Jan- Dec.

The target for this measure is to be below 5%.
KPM #11 LTC Recipients Living Outside Of Nursing Facilities
The Percentage of Oregonians Accessing Publicly Funded Long Term Care Services Who are Living Outside of Nursing Facilities.

<table>
<thead>
<tr>
<th>Year</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>83.60%</td>
</tr>
<tr>
<td>2013</td>
<td>84.80%</td>
</tr>
<tr>
<td>2014</td>
<td>85.10%</td>
</tr>
<tr>
<td>2015</td>
<td>86.10%</td>
</tr>
<tr>
<td>2016</td>
<td>86.90%</td>
</tr>
</tbody>
</table>

The target for this measure is to be above 90%.
**KPM #16 Abuse Of Seniors And People With Disabilities**

The Percentage of Seniors and Adults with Physical Disabilities Experiencing Abuse. *Current measure – proposing change*

Time Period: Jan-Dec

<table>
<thead>
<tr>
<th>Year</th>
<th>Actual</th>
</tr>
</thead>
<tbody>
<tr>
<td>2015</td>
<td>0.75%</td>
</tr>
<tr>
<td>2016</td>
<td>0.73%</td>
</tr>
</tbody>
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The target for this measure is to be below 2.2%.
Wrap-up

• Promoting a culture of safety that is consistent with values of independence, dignity and choice
• Providing tools to prevent, identify and investigate abuse
• Sustaining programs with aging and disability population growth

Coming up next

• Office of Developmental Disabilities Services, March 21-22
• Vocational Rehabilitation, March 27
• Self-sufficiency, March 30
Thank you

www.Oregon.gov/DHS/seniors-disabilities

@oregondhsAPD

@oregondhs.APD

dhs.directorsoffice@state.or.us