

DEPARTMENT OF AGING AND ADULT SERVICES COMMISSION (DAAS)  
MINUTES AUGUST 7, 2019

CALL TO ORDER AND ROLL CALL

President Gustavo Serina  
called the meeting to order at 9:40 AM.

The (DAAS) Commission Secretary called the roll.

Present: Gustavo Serina Steve Arcelona Katie Loo, Martha Knutzen, Michael Pappas, Janet Y. Spears and Tedi Vriheas

DAAS Executive Director Shireen McSpadden was present.

President Serina welcomed Commissioner Janet Y. Spears to the DAAS Commission and asked her to say a few words.

A motion to approve the August 7, 2019 Commission meeting agenda with amendments.

The motion was unanimously approved

A motion to approve the June 5, 2019 Commission meeting minutes

The motion was unanimously approved

Commissioner Spears abstained.

Director's Report/Executive Director Shireen McSpadden

Ms. McSpadden began on the national level by reporting on her trip to New Orleans for the National Association of Area Agencies on Aging (N4A) Conference and Board meeting in July. Ms. McSpadden was involved in two of the presentations during the conference. The first presentation was regarding the work that DAAS is doing with respect to Dementia and Alzheimer's in San Francisco. The second presentation discussed DAAS's approach to diversity and equity. Katrina Williams from the Human Resources division of the San Francisco Human Services Agency (HSA), provided a training on implicit bias and equity inclusion. DAAS and the Community Music Center was once again a recipient of an achievement award for the Older Adult Choir Program. Ms. McSpadden went on to report at the state level mentioning that DAAS was performing very well in the areas of Nutrition, Aging and Disability Resource Connection (ADRC), Ombudsman, and Falls Prevention. Much of this funding is first time funding and Ms. McSpadden hopes to see the funding continue. At the local level, Ms. McSpadden was happy to announce the success of San Francisco's first Older Adult and Disability Work Fair that was organized by DAAS, the Office of Economic and Workforce Development, the Community Living Campaign, the Dignity Fund Coalition and some funding partners. The Fair was exciting and the attendance was beyond expectation. Finally, Ms. McSpadden mentioned Reframing Aging. The

Community Living Campaign is continuing to work with a creative agency who is developing campaign ideas for the Reframing Aging Work Group and considering the best approach to get the message of Reframing Aging out into the greater San Francisco. Ms. McSpadden stated that there will be ways for all to be involved, engaged and to participate.

#### EMPLOYEE RECOGNITION:

Executive Director Shireen McSpadden and the DAAS Commission recognized Sara Bunting, a Social Worker from DAAS's Adult Protective Services Office. Ms. McSpadden thanked Ms. Bunting for her amazing work and dedication with older adults.

#### ADVISORY COUNCIL REPORT/ President Diane Lawrence

#### **PRESIDENT'S REPORT**

The Advisory Council met on Wednesday, June 19 and July 17, 2019

- Dignity Fund Oversight and Advisory Committee Update
  - There was no report in June
  - In July, the updates included:
    - The \$3 million dollars required by the legislation has been allocated.
    - At the September meeting, the Dignity Fund Coalition will have a panel discussion on the Master Plan on Aging.
- Pedestrian Safety Committee
  - Pi Ra from Senior Action Network spoke to us at the June meeting.
    - Vision Zero is affecting senior and adults with disabilities, in terms of injuries and deaths of pedestrians. He outlined the history and eventual adoption of Vision Zero as originally advocated by the Bike Coalition and WALK SF.
    - Developed by Sweden, the goal is “to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, and equitable mobility for all”.
    - Between 1996-2009, there were several attempts at safety issues and the DPH (Department of Public Health) had an injury prevention program until the 2009 Recession with its budget cuts.
    - Vision Zero has a goal of 0 deaths by 2024. The Vision Zero meets quarterly and is led by SFMTA, (San Francisco Metropolitan Transportation Agency), DPH's Safe Streets for Seniors. (and Persons with Disabilities).
    - There was an initial decrease in the fatalities and injuries, but there has been no substantive difference overtime
    - The Vision Zero Coalition was established and meets quarterly and is led by SFMTA, DPH's Safe Streets for Seniors (& People with Disabilities) Program, and an initial decrease in fatalities and injuries.
    - Problems still exist, including a top-down development approach

- High risk priority list
    - A plan
    - Presentation to the Community. The Excelsior is an example of where things are starting to change.
  - Specific needs that are not being adequately addressed include removal of bus shelters or seats, designated bike lanes, slow implementation of agreed upon improvements, the current increase in pedestrian fatalities, and non-accessible streets and sidewalks at construction sites.
  - There are many organizations advocating for improvements, including a Vision Zero Working Group.
  - SDA is proposing a strategy of asking for community input first and then the development of an action plan, expand the type of data collected (Megan Weir from DPH is developing data), and a design priority that addresses equity and accessibility.
  - Safe Streets for Seniors provides grant money for groups and neighborhoods.
  - Streets continue to be more congested
- LGBT Updates/Marcy Adelman
    - There was no report in June
    - At the July meeting, we were advised that the 95 Laguna will open in September
      - There will be LGBT workers from Mercy Housing
      - Open House and On Lok will be working together in a hybrid approach.
  - State Commission on Aging Report
    - Group meets 6 times a year and various parts of the state
    - The commissioners visit senior facilities in the area where the meetings are held
    - The number 1 issue is housing
    - Commission did a Master Plan as did Justice in Aging
      - Common themes included
        - Equity
        - Housing and economic security
        - Coordination of services
        - Workforce
  - Membership Committee Report—responses coming in from Supervisors.
  - Site Visits
    - There were no site visit reports given in June.
    - The Council agreed that members would make reports at our July meeting.
    - There were 2 site visit reports given as we ran out of time
      - Stanford Hotel run by Swords to Plowshares
      - West Portal Clubhouse
    - There are 3-4 reports pending

- A council member will be visiting the Veterans Academy in the Presidio
- **Guest Presentation**—Build My Block
  - This year has a Bayview focus
  - Applications were being received through July 26
  - There are income requirements, the applicants can be referred to other services and the group will work with landlords on permission process.

In August, the Council will have a presentation on the Area Plan for 2021-2025 development process.

**JOINT LEGISLATIVE REPORT: The following bills changed since May based on an updated status as of July 12, 2019.**

**Bills Signed and Chaptered:**

**AB 453 Chau: Emergency medical services: training.**

Under existing law, the Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act, the Emergency Medical Services Authority is responsible for establishing minimum standards and promulgating regulations for the training and scope of practice for an Emergency Medical Technician-I (EMT-I), Emergency Medical Technician-II (EMT-II), and Emergency Medical Technician- Paramedic (EMT-P).

This bill would require EMT-I, EMT-II, and EMT-P standards established pursuant to the above provision to include a training component on how to interact effectively with persons with dementia and their caregivers. The bill would specify that the authority is authorized to consult with community organizations advocating on behalf of Californians with dementia or Alzheimer’s disease in developing the component. **JULY UPDATE: CHAPTERED AND SIGNED BY THE GOVERNOR 7/12/19**

**SB 314 Dodd Elders and dependent adults: abandonment.**

Existing law, the Elder Abuse and Dependent Adult Civil Protection Act, provides for the award of attorney’s fees and costs to, and the recovery of damages by, a plaintiff when it is proven by clear and convincing evidence that the defendant is liable for physical abuse or neglect, as defined, and the defendant has also been found guilty of recklessness, oppression, fraud, or malice in the commission of that abuse. This bill would extend those remedies to cases in which the defendant is liable for abandonment, as defined, and the above conditions have been met. **JULY UPDATE: CHAPTERED AND SIGNED BY THE GOVERNOR 6/26/19**

**Medi-Cal**

**AB50-Kalra Medi-Cal Assisted Living Waiver Program**

This bill would require the department, submit to the federal Centers for Medicare and Medicaid Services a request for renewal amendment of the Assisted Living Waiver program with specified amendments. The bill would require, as part of the amendments, the department to increase the number of participants in the ~~program, as specified, in the 15 existing waiver counties, expansion of the program beyond those counties on a regional basis, and modification to the provider reimbursement tiers while also maintaining the program’s budget neutral provisions.~~ *program from the currently authorized 5,744 participants to 18,500, to be phased in, as specified. The bill would require the department to increase its provider reimbursement*

*tiers to compensate for mandatory minimum wage increases, as specified. The bill would require the department, before the submission of the waiver renewal amendment request, to notify specified legislative committees about certain information relating to the increase in the participant population and the regional expansion, to conduct open in-person meetings with stakeholders, and to release a draft of the proposed waiver renewal amendments for stakeholder comment, as specified. The bill would require the department to establish requirements and procedures to allow a person on the Assisted Living Waiver program's waiting list to know their position on the waiting list. If the Assisted Living Waiver program is combined with, or converted to, another program or programs providing for Medicaid home and community-based services, the bill would require these requirements to apply to the combined or converted program.* The bill would condition implementation of the waiver amendments on obtaining the necessary federal approvals and on the availability of federal financial participation. The bill would require implementation of the waiver amendments to commence within 6 months of the department's receipt of authorization for the necessary resources, as specified. The bill would also make legislative findings and declarations relating to the Assisted Living Waiver Program. **JULY UPDATE: IN SUSPENSE FILE**

**SB 214 Dodd Medi-Cal: California Community Transitions program**

Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive healthcare health care services. The Medi-Cal program is, in part, governed and funded by federal Medicaid program provisions. Existing federal law establishes the Money Follows the Person Rebalancing Demonstration, which is designed to achieve various objectives with respect to institutional and home and community-based long-term care services provided under State Medicaid programs. This bill would require the department to implement and administer the California Community Transitions (CCT) program, as authorized under federal law and pursuant to the terms of the Money Follows the Person Rebalancing Demonstration. ~~The bill would require the department to seek federal matching funds, and if federal matching funds are unavailable, the bill would require the department to fund the program.~~ *Demonstration, for the purpose of transitioning eligible Medi-Cal beneficiaries into qualified residences after residing in an institutional health facility for a period of 90 days or longer. The bill would specify the services to be offered under the program, and the targeted populations for those services. The bill would specify that the CCT program is voluntary, and that eligibility to participate in the program would be determined by CCT lead organizations, as defined, in accordance with specified requirements. The bill would require the department to contract with CCT lead organizations to provide services under the program, and would specify the responsibilities of a lead organization in that regard. The bill would require the department to use federal funds made available through the Money Follows the Person Rebalancing Demonstration to implement the CCT program, and if sufficient funds are unavailable, to fund and administer the program in a manner that attempts to maximize federal financial participation. The bill would also require the department to seek partnerships with counties and other local jurisdictions as a means to securing enhanced and complementary funding, as specified.* ~~funding.~~ This bill would declare that it is to take effect immediately as an urgency statute. **JULY UPDATE: REFERRED TO APPROPRIATIONS ON 7/10/19.**

## **Master Plan on Aging**

### **AB 1382 Aguiar-Curry *Master Plan for Aging.***

Existing law, including, among others, the Mello-Granlund Older Californians Act, provides programs and strategies to support the state's older population. These programs include the Aging and Disability Resource Connection program, established to provide information to consumers and their families on available long-term services and supports (LTSS) programs and to assist older adults, caregivers, and persons with disabilities in accessing LTSS programs at the local level.

~~This bill would state the intent of the Legislature to enact legislation to establish a Master Plan for an Aging California that responds to population needs in a comprehensive manner, including, but not limited to, strategies to address the needs of family caregivers and implement the recommendations offered by the California Task Force on Family Caregiving. This bill would require the state to adopt a Master Plan for Aging, emphasizing workforce priorities. The bill would require the Master Plan for Aging to prioritize specified issues related to preparing and supporting the state's paid paraprofessionals and professionals, as well as unpaid family caregivers. These issues would include, but not be limited to, (1) establishing and sealing a universal home care worker category of jobs, including a career ladder and associated training, addressing the need for a well-trained and culturally competent paid paraprofessional and professional health care and long-term care workforce and (2) developing recommendations regarding the need for high-quality, affordable, and accessible respite services throughout the state for unpaid family caregivers. The bill would require the Master Plan for Aging to include an implementation plan specifying the goals, objectives, and timelines for meeting the requirements set forth in those provisions. The bill would make findings and declarations relating to the objectives of the master plan.~~ **JULY UPDATE: SET FOR HEARING 8/12/19**

### **SB 228 Jackson *Master Plan on Aging.***

Existing law requests the University of California to compile specified information, including a survey of existing resources throughout California's governmental and administrative structure that are available to address the needs of an aging society. Existing law requires the Secretary of the California Health and Human Services Agency, based upon the information compiled by the University of California and with the consultation or advice of specified entities, to develop a statewide strategic plan on aging for long-term planning purposes and submit the plan to the Legislature. This bill would require the Governor to appoint a Master Plan Director and establish an Aging Task Force, consisting of ~~45-13~~ members, with the President pro Tempore of the ~~Senate, Senate and the Speaker of the Assembly, Assembly each appointing 2 members~~ and the Governor ~~each~~ appointing ~~5~~ 9 members to the task force. The bill would require the director, with the assistance of the task force, to work with representatives from impacted state departments, stakeholders, and other agencies to identify the policies and priorities that need to be implemented in California to prepare for the aging of its population. The bill would require the task force under the leadership of the director, to develop a master plan ~~with that identifies possible actions that would accomplish specified components, including, among others, a proposal, with components and that includes a cost~~

estimate *for accomplishing*, and an identification of potential funding sources, ~~for how the state should accomplish~~ *sources to accomplish*, specified goals, including expanding access to coordinated, integrated systems of care. The bill would also require the task force to solicit input from stakeholders and gather information on the impact of California's aging population and develop a master plan implementation process. This bill would also, as part of the master planning process, require the Office of the Chancellor of the Community Colleges and California State University to develop, and authorize the Office of the President of the University of California to develop, a strategy and fiscal plan to ensure the availability of a culturally competent workforce to meet the needs of an aging population by 2030. **JULY UPDATE: PLACED ON SUSPENSE 7/10/19.**

## **IHSS**

**AB229 Nazarian In-home supportive services: written content translation. JULY UPDATE: NO UPDATES**

**AB 426 Maienschein** In-Home Supportive Services program: medical certification. *program.*

Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services to permit them to remain in their own homes. ~~Existing law requires a county welfare department to assess each recipient's continuing monthly need for in-home supportive services at varying intervals, but at least once every 12 months. Existing law authorizes a county to reassess a recipient's need for services at a time interval of less than 12 months from a recipient's initial intake or last assessment if the county social worker has information indicating that the recipient's need for services is expected to decrease in less than 12 months. This bill would require a reduction of a recipient's monthly authorized number of service hours to be based solely on a change in the recipient's household composition or a change in another household member's use of services that impacts the calculation of the recipient's prorated service hours, a documented change in the recipient's functionality, a change in the law that affects the assessment of needed services, or an error in computing a recipient's monthly authorized number of service hours that has been documented by the county.~~

~~Under homes.~~ *Under* existing law, the Medi-Cal program provides services similar to those offered through the IHSS program, to eligible individuals, with these services known as personal care option services. Existing law requires an applicant for, or recipient of, either of these in-home supportive services, as a condition of receiving these services, to obtain a certification from a licensed health care professional, as specified, declaring that the applicant or recipient is unable to perform some activities of daily living independently, and that without services to assist the applicant or recipient with activities of daily living, the applicant or recipient is at risk of placement in out-of-home care.

This bill would repeal that requirement to obtain a certification from a licensed health care professional as a condition of receiving in-home supportive ~~services.~~ ~~To~~ *services.* To the extent that the bill would impose additional duties on counties, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts

for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above. **JULY UPDATE: AMENDED AND MOVED TO APPROPRIATIONS, 7/11/19**

## Housing

### **AB 68 Ting**

### **Land use: Accessory dwelling units**

(1) The Planning and Zoning Law authorizes a local agency to provide, by ordinance, for the creation of accessory dwelling units in single-family and multifamily residential zones and sets forth required ordinance standards, including, among others, lot coverage.

This bill would delete the provision authorizing the imposition of standards on lot coverage and would prohibit an ordinance from imposing requirements on minimum lot size. (2)

Existing law requires a local agency to ministerially approve or deny a permit application for the creation of an accessory dwelling unit within 120 days of receiving the application. This bill would instead require a local agency to ministerially approve or deny a permit application for the creation of an accessory dwelling unit permit within 60 days ~~of receipt~~. *from the date the local agency receives a completed application.* (3) Existing law prohibits the establishment by ordinance of minimum or maximum size for an accessory dwelling unit, or size based upon a percentage of the proposed or existing primary dwelling, if the limitations do not permit at least an efficiency unit to be constructed. This bill would instead prohibit the imposition of those limitations if they do not permit at least an 800-square foot accessory dwelling unit that is at least 16 feet in height with 4-foot side and rear yard setbacks. This bill would additionally prohibit the imposition of limits on lot coverage, floor area ratio, open space, and minimum lot size if they prohibit the construction of an accessory dwelling unit meeting those specifications. (4) Existing law requires ministerial approval of a permit to create one accessory dwelling unit within a single-family dwelling, subject to specified conditions and requirements. This bill would require ministerial approval of an application for a permit to ~~create one or more accessory dwelling units or junior accessory dwelling units on a lot with a proposed or existing single family dwelling or multifamily dwelling, subject to specified conditions and requirements~~ *the following: (1) one accessory dwelling unit and one junior accessory dwelling unit per lot with a proposed or existing single-family dwelling if certain requirements are met; (2) a detached, new construction single-story accessory dwelling unit that meets certain requirements and would authorize a local agency to impose specified conditions relating to floor area and height on that unit; (3) multiple accessory dwelling units within the portions of an existing multifamily dwelling structure provided those units meet certain requirements; or (4) not more than two accessory dwelling units that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling and are subject to certain height and rear yard and side setback requirements.* (5) Existing law requires a local agency to submit its accessory dwelling unit ordinance to the Department of Housing and Community Development within 60 days after



adoption and authorizes the department to review and comment on the ordinance. This bill would instead authorize the department to submit written findings to a local agency as to whether the local ordinance complies with state law, would require the local agency to consider the department's findings and to amend its ordinance to comply with state law or adopt a resolution with specified findings. The bill would require the department to notify the Attorney General that the local agency is in violation of state law if the local agency does not amend its ordinance or adopt a resolution with specified findings. (6) This bill would also prohibit a local agency from issuing a certificate of occupancy for an accessory dwelling unit before issuing a certificate of occupancy for the primary residence. (7) This bill would require a local agency that has not adopted an ordinance for the creation of junior accessory dwelling units to apply the same standards established by this bill for local agencies with ordinances. (8) This bill would make other conforming changes, including revising definitions and changes clarifying that the above-specified provisions regulating accessory dwelling units and junior accessory dwelling units also apply to the creation of accessory dwelling units and junior accessory dwelling units on proposed structures to be constructed. (9) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason. **JULY UPDATE: SET FOR HEARING 8/12**

### Caregiving

**AB 251 Patterson** Personal income taxes: credit: family caregiver. **JULY UPDATE: NO UPDATES**

### Taxes

**SB 248 Glazer** Taxation: renters' credit. **JULY UPDATE: NO ACTION**

### Miscellaneous

**AB 358- Low** Sexual assault forensic examination kits: databases. **JULY UPDATE: NO UPDATES**

**AB 387- Gabriel** ~~Physician and surgeons: pharmacists: Task force: adverse drug events: prescriptions.~~<sup>[SEP]</sup> The Medical Practice Act provides for the licensure and regulation of physicians and surgeons by the Medical Board of California and authorizes a licensed physician and surgeon to use drugs or devices in or upon human beings and to sever or penetrate the tissues of human beings and to use any and all other methods in the treatment of diseases, injuries, deformities, and other physical and mental conditions.

~~This bill would require a physician and surgeon, on and after January 2022, when providing a prescription for a drug or device to a patient, to discuss with the patient the opportunity to opt in to having the physician and surgeon indicate the purpose for the drug or device on the prescription.~~ The Pharmacy Law provides for the licensure and regulation of the practice of pharmacy by the California State Board of Pharmacy. Existing law requires the California State Board of Pharmacy to promulgate regulations that require, on or before January 1, 2011, a standardized, patient-centered, prescription drug label on all prescription medication dispensed to patients in California. ~~Under the bill, if the purpose of a drug or device is not indicated on a prescription for that drug or device as required by the bill, a dispensing pharmacist would not~~

~~be responsible for ascertaining the purpose or, on or after January 1, 2022, determining whether the patient opted in to a drug or device purpose indication. The bill would require the California State Board of Pharmacy to adopt regulations by January 1, 2022, providing technical guidance regarding the format and manner in which a pharmacist is to incorporate drug or device purpose indications on the standardized, patient-centered, prescription drug label. This bill would create the Prescription Labeling and Adverse Drug Event Prevention Advisory Task Force, with membership as prescribed, to develop specified information and make recommendations to the boards and to the Legislature on the ways to increase adherence to prescription medication and decrease adverse drug events. The bill would require the task force to report on its findings and recommendations. The bill would require each board, following submission of the report, to adopt regulations to implement recommendations in the report that are within the jurisdiction of the relevant board to enact through regulation if, in the independent determination of the board, the regulations will achieve the goals of improving the patient opt-in process, increasing the prevalence of adverse drug events.~~ **JULY UPDATE: SET FOR HEARING 8/12/2019**

**AB 447 PattersonCare facilities: criminal record clearances**

(1) Existing law generally requires the State Department of Social Services to license and regulate designated types of care facilities. The department is required to investigate the criminal record of certain individuals who provide services to the residents and clients of a community care facility, a residential care facility for persons with chronic life-threatening illness, a residential care facility for the elderly, or a child daycare facility. Violations of the licensing requirements for these different types of care facilities are crimes. This bill would expand who is required to comply with the requirement for obtaining a criminal record clearance by including individuals who are otherwise associated at the facility and would expand a requirement for the department to maintain criminal record clearances of individuals in its active files. The bill would require, until an automated information system for tracking changes in facility associations is available, the department to permit a licensee who operates more than one of the same kind of care facility to coordinate the criminal record clearances for individuals associated with its facilities, and a licensee to update the department regarding individuals associated with its facilities, as specified. By expanding the requirements for these different licensees, this bill would expand the crimes for a failure to comply with those requirements, thereby imposing a state-mandated local program. This bill would also make technical, nonsubstantive changes to these provisions. (2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that no reimbursement is required by this act for a specified reason. **JULY UPDATE: MOVED APPROPRIATIONS SUSPENSE FILE.**

**AB 536 Frazier Developmental services. JULY UPDATE: NO UPDATE**

**AB 737 Eggman Residential care facilities for the elderly: licensing and regulation.**

Existing law, the California Residential Care Facilities for the Elderly Act, provides for the licensure of residential care facilities for the elderly by the State Department of Social Services. Existing law requires any person seeking a license for a residential care facility for the elderly

to file an application with the department, as specified. This bill would clarify that the application requirements described above apply to entities and agents signing on behalf of entities. ~~Existing law requires any applicant that is a firm, association, organization, partnership, business trust, corporation, or company, to provide evidence as to the reputable and responsible character of individuals or entities that hold a beneficial ownership interest of 10% or more. Existing law defines beneficial ownership for these purposes as an ownership interest through the possession of stock, equity in capital, or any interest in the profits of the applicant or licensee, or through the possession of such an interest in other entities that directly or indirectly hold an interest in the applicant or licensee. This bill would revise the definition of beneficial ownership to include an ownership interest through the possession of real property.~~ **JULY UPDATE: READ A THIRD TIME AND AMENDED 7/1/19 AND ORDERED TO SECOND READING.**

**AB 797 Gregson** Mandated reporters: ~~financial~~ *Financial* abuse of elder or dependent adults. **JULY UPDATE: NO UPDATES**

**AB 1128 Petrie-Norris Program of All-Inclusive Care for the Elderly (PACE).**

Existing federal law establishes the Program of All-Inclusive Care for the Elderly (PACE), which provides specified services for older individuals at a PACE center, defined, in part, as a facility that includes a primary care clinic, so that they may continue living in the community. Federal law authorizes states to implement the PACE program as a Medicaid state option.

Existing state law establishes the California Program of All-Inclusive Care for the Elderly (PACE program), to provide community-based, risk-based, and capitated long-term care services as optional services under the state's Medi-Cal State Plan, as specified. Existing law authorizes the State Department of Health Care Services to enter into contracts with various entities for the purpose of implementing the PACE program and fully implementing the single state agency responsibilities assumed by the department pursuant to those contracts, as specified.

Existing law establishes the State Department of Public Health and sets forth its powers and duties, including, but not limited to, duties relating to the licensing and regulation of various entities, including primary care clinics, adult day health *care* centers, and home health agencies.

~~This bill would require a PACE center to maintain a license as both a primary care clinic and an adult day health center, and to either maintain a license as a home health agency or contract with a licensed home health agency for the provision of home health services. The bill would require the State Department of Health Care Services, as the single state agency overseeing the PACE program, to license and regulate any primary care clinic, adult day health center, and home health agency that is related to a PACE center, thereby transferring these duties from the State Department of Public Health to the State Department of Health Care Services, using revenues from the licensing fees that would have been attributed to the corresponding duties of the State Department of Public Health. The bill would authorize the State Department of Health Care Services to exempt certain PACE centers from these provisions. The bill would authorize the State Department of Health Care Services to implement the transfer of these duties by means of plan or county letters, or other similar instructions, without taking~~

~~regulatory action.~~

*This bill would exempt from licensure by the State Department of Public Health a primary care clinic, an adult day health care center, or a home health agency, that exclusively serves PACE participants. The bill would instead subject those entities to oversight and regulation by the State Department of Health Care Services. The bill would require those entities to comply with the operating standards described in their respective provisions, except as modified by the State Department of Health Care Services, to meet the needs of PACE participants. The bill would repeal related provisions as part of conforming changes. The bill would require those PACE organizations to cooperate with the State Department of Health Care Services by providing the department with requested records or information or with access to inspect physical locations. The bill would authorize the department to refuse to enter into, or to terminate, a contract with a noncompliant or noncooperative PACE organization, or to require that PACE organization to submit a corrective action plan to bring it into compliance, as specified. The bill would authorize the department to enter into contracts, or to amend existing contracts, on a bid or negotiated basis, to implement these provisions, and would authorize the department to implement, interpret, or make specific these provisions by means of letters, bulletins, , or other similar instructions, without taking regulatory action. **JULY UPDATE: HEARING SET FOR 8/12/19***

**SB 280 Jackson Older adults and persons with disabilities: fall prevention.**

(1) Existing law, the Mello-Granlund Older Californians Act, finds and declares that one in 3 Americans over 65 years of age suffers a fall each year, often in the home, which can cause serious injury and depression. The act establishes the California Department of Aging, and sets forth its duties and powers, including, among other things, entering into a contract for the development of information and materials to educate Californians on the concept of “aging in place” and the benefits of home modification. Existing law also establishes the Senior Housing Information and Support Center within the department for the purpose of providing information and training relating to available innovative resources and senior services, and housing options and home modification alternatives designed to support independent living or living with family. This bill would repeal those provisions relating to the department’s provision of information on housing and home modifications for seniors. Existing law establishes the Program for Injury Prevention in the Home Environment, under which the department, through the Senior Housing and Information Support Center, is required to award grants to eligible local level entities for injury prevention information and educational programs and services. This bill would repeal those provisions and would instead establish the Dignity at Home and Fall Prevention Program, which would require the department to provide grants to area agencies on aging for injury prevention information, education, and services for the purpose of enabling older adults and persons with disabilities to live independently in the home environment for as long as possible, as specified. The bill would require the department, in consultation with specified experts knowledgeable in injury prevention for older adults and persons with disabilities, to develop a grant application process, specific performance measures on which grant recipients would be required to report, and training materials for the implementation of these provisions. The bill would require the application process to include

the submission of a plan that includes, among other things, the projected number of clients to be served and the array of services to be provided. The bill would provide that funding of these grants is subject to the appropriation of funds by the Legislature in the Budget Act or another statute. (2) Existing law, the California Building Standards Law, provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption. Existing law requires the commission to publish, or cause to be published, editions of the code in its entirety once every 3 years. Existing law, the State Housing Law, requires the Department of Housing and Community Development to propose the adoption, amendment, or repeal of building standards to the California Building Standards Commission. This bill would, at the next triennial building standards rulemaking cycle that commences on or after January 1, 2020, require the Department of Housing and Community Development to investigate possible changes to the building standards in the California Residential Code for adoption by the California Building Standards Commission to facilitate aging in place, as specified. **JULY UPDATE: REFERRED TO APPROPRIATIONS 7/3/19**

#### LONG TERM CARE COORDINATING COUNCIL (LTCCC) REPORT/Mark Burns

Mr. Burns reported on the LTCCC July meeting and welcomed new member Dr. Michi Yukawa. There was a significant budget conversation led by DAAS Executive Director Shireen McSpadden and HSA staff member Susie Smith on both the state and local level's FY 2020. Over the past several months the LTCCC has been reorganizing and now has more structured work groups that focus on: health, housing, nutrition, transportation, social engagement and work force groups. The LTCCC in collaboration with the Dignity Fund Coalition will be sponsoring the largest state wide policy forum on the new Master Plan for Aging due to take place on Friday, September 20, from 1:30-3:30 PM. Save the dates will go out in the next day or two.

#### CASE REPORT/Greg Moore

Mr. Moore is very pleased with the impact of CASE's advocacy efforts with DAAS and City Hall which resulted in new and additional funding for the Senior Choir Program, Technology Infrastructure and Support, Dementia Day Care Programs, Group Van Transportation for Adult Day Services, and Case Management Services. Additionally, CASE is transportation via our ADS (Adult Day Services) Committee. The CASE Board welcomed new member Dan Gallagher, Executive Director of Stepping Stone. Mr. Gallagher has been active with advocacy work and CASE looks forward to adding his expertise and experience. CASE continues their outstanding programming in July with a Creative Aging Panel which featured Laura Mason of Engage, Katie Wade with Covia, and Jessica McCracken of Bethany Center. The panel presented on creative activities and programs currently offered by their organizations, as well as a discussion of innovative and fresh perspectives on aging and how senior and disabled services organizations can incorporate this into their operations. The August CASE meeting will be their annual Advocacy Brainstorming Session with members giving input on 2020-21 budget needs.

OLD BUSINESS

No Old Business

NEW BUSINESS

- Presentation on the Expansion of CalFresh Benefits to SSI/SSP Recipients  
**Staff to present. (Informational only)**
- A. Review and approval of California Department of Aging CalFresh Expansion Contract CF-1920-06, associated budget, and all subsequent amendments. Mike Zaugg presented the item.

**PUBLIC COMMENT**

No public comment

A motion to approve:

The motion was unanimously approved

- B. Requesting authorization to modify the contract with Central Communications, Inc for provision of Hotline Answering Services for Adult Protective Services (APS) and Family and Children’s Services (FCS) for the time period September 1, 2019 to August 31, 2021 in the additional amount of \$50,000 plus a 10% contingency for a total amount not to exceed \$110,000. Carrie Wong presented the item.

**PUBLIC COMMENT**

No public comment

A motion to approve:

The motion was unanimously approved

- C. Requesting authorization to enter into a new contract with Thomson Reuters for the provision of Firm Central case management and Westlaw online legal research tools; during the period of July 1, 2019 through June 30, 2022; in the amount of \$100,495 plus a 10% contingency for a total grant amount not to exceed of \$110,544. Janet Boessenecker presented the item

**PUBLIC COMMENT**

No public comment

A motion to approve:

The motion was unanimously approved

- D. Requesting authorization to enter into a new contract agreement with Netsmart Technologies Inc. for access to DeVero Home Health Electronic Record System; during the period of September 1, 2019 through June 30, 2022; in the amount of \$45,000 plus a 10% contingency for a total amount not to exceed of \$49,500. Ria Mercado presented the item.

**PUBLIC COMMENT**

No public comment

A motion to approve:

The motion was unanimously approved

**GENERAL PUBLIC COMMENT**

Jessica Lehman commented on the conversation around pedestrian safety and thanked the commission for their attention to this topic. Ms. Lehman stated that electric vehicles on the streets is a great concern to older adults and adults with disabilities. The SFMTA has clamped down and put limits on electric vehicles making things a lot better. Ms. Lemman stated that older adults and adults with disabilities advocates are concerned that once the pilot concludes things might change and wants the Commission and advocates to stay on top of this. Ms. Lehman would like the SFMTA to have clear guidelines on delivery robots and fears the private companies are taking over the streets and using them to make money instead of using the street space for the public to use and get around safely. Ms. Lehman also commented that the removal of bus shelters makes it difficult for seniors to get around because it eliminates places for seniors to sit and makes them vulnerable to the weather. The transit system is linked to helping seniors leave their house and get around their community. Ms. Lehman is inviting anyone interested to participate in the Senior and Disability Action's Transit Justice Group. The Transit Justice Group meets once a month and brings together seniors and people with disabilities to work on these issues.

**ANNOUNCEMENTS:**

No announcements

**MOTION TO ADJOURN.**

The motion was unanimously approved

Meeting adjourned 11:30 AM.

Respectfully submitted,

Bridget Badasow  
Commission Secretary