



CALCRA News

California
Continuing Care
Residents Association

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FROM THE PRESIDENT

Last issue I lamented that the governor had vetoed SB 489 that would have established mandatory measures for humane treatment of CCRC residents whenever they are displaced permanently or temporarily by their CCRC. The governor's message was positive concerning the purpose of the bill but indicated the wording needed to be changed to avoid excessive burden on the Department of Social Services. We have met with the Department, modified the wording and reintroduced the bill, now AB 407. It is authored by Assemblyman Jim Beall of San Jose.



Walter P. Rozett

I also commented in the last issue on our efforts to make currently required reserve information more understandable. Our bill, AB 1169, has been authored by Assemblyman Ira Ruskin of Redwood City. The bill requires providers to report full details describing the purpose, amount, and how much is planned for each reserve the provider currently maintains. In this bill "reserves" means all reserves currently required under the Health and Safety Code, and, in the case of a not-for-profit provider, it includes all assets in excess of liabilities. For-profit providers must include all reserves carried within the provider's net worth. Current economic conditions focus a special concern for the contingency or "rainy day" fund of a CCRC. Without an adequate contingency reserve, a provider risks being unable to survive a prolonged economic downturn. The bill also precludes a provider from using CCRC funds for any purpose other than for the benefit of the residents.

Another item in our last letter covered a meeting of Aging Services and CALCRA to discuss how our organizations might work together more closely. As reported, the

meeting was useful but it did not produce any tangible results. Aging Services had approached us earlier this year indicating that they would co-sponsor our bill on closure if we agreed to confine it to permanent closures, deferring the temporary closure portion to next year. This would have been an interesting development since Aging Services and its predecessor had never gone beyond being neutral on any bill that CALCRA has ever introduced. But when Aging Services learned of our planned introduction of the reserve bill their offer to co-sponsor our closure bill was withdrawn. In response your Board decided to go forward with both bills as originally planned.

Aging Services' active opposition to each seems likely. They have introduced AB 1433 authored by Assemblyman Mike Eng of Monterey Park covering permanent closures but excluding temporary closures. This will, of course, have to be reconciled with our AB 407. Since Aging Services did not object last year to SB 489 that covered both permanent and temporary closures, their currently changed position is hard to reconcile.

Another bill of interest is AB 1044 introduced by Assemblyman Dave Jones of Sacramento transferring oversight of CCRCs from the Department of Social Services to the Department of Insurance. This places greater emphasis on the effectiveness of financial/actuarial oversight and conforms to the regulatory oversight of most other states. No sponsor has been identified as yet. As we learn more about the bill your Board will determine an appropriate position.

It should be an interesting year.

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AN INVITATION TO OUR APRIL BOARD MEETING

All members are cordially invited to attend CALCRA's board meeting at 10 AM on Thursday, April 9 at The Village at Hemet, 2220 West Acacia, Hemet, CA.

EVERYTHING A CCRC RESIDENT NEEDS TO KNOW

It is more than a cliché to emphasize that a continuing quest for knowledge is vital for the mental health of the elderly. Medical studies have proven conclusively that aging minds will resist, or at least delay, decline of cognitive powers when brains are regularly stimulated with such varied pursuits as reading, volunteering, sketching or painting, knitting and quilting, doing crossword puzzles and sudoku, writing essays or our memoirs, taking part in challenging games, and keeping up to date on current events within our community and globally.

In their own interests and as part of the process of maintaining their mental health, their quality of life and their financial security there is also much that all CCRC residents should know about their communities: how they are regulated, their financial condition and how CALCRA works to strengthen their rights.

As you might guess, the Internet is the most significant and readily available source of all such information. For those of you conversant with a computer this should be easy; for those who are not, it would be very useful for you to take this to a friend, or one of your children or grand children who is familiar with computers and let them dazzle you with how much information is available. That search can also be interesting and rewarding to your helpers for they will be exploring fields otherwise foreign to them until they too enter those later years when this knowledge becomes vital.

Let's start with the CALCRA website: www.calcra.org. It is a treasure house of information for CCRC residents:

- CALCRA's mission
- How to contact CALCRA board members
- Our legislative achievements
- Our vision for the future
- Access to the current CALCRA newsletter and to several years of previous newsletters
- Links to other websites of interest to CCRC residents

Those links include:

- **AARP** Its site includes information on health matters, driver safety, how to search for a hospital or doctor, advice on Medicare and much, much more.
- **Aging Services**, the provider

organization. This site is primarily dedicated to information for provider personnel including the Aging Services position on pending legislation. It also has a section that covers a broad range of subjects of interest to all CCRC residents.

- **California Health Care Foundation** This provides a checklist for evaluating CCRCs and contact information on different types of long term care facilities as well as Hospice.
- **California Registry** This a state-licensed, free referral agency for seniors and their families. It provides information on care options, counseling, referrals and facility evaluations.
- **California Legislature** This provides access to bills currently under consideration, committee hearing information, how to find and contact your senator or assemblyperson and much more.
- **Cal Nursing Homes (CANHR, California Association for Nursing Home Reform)** This group frequently co-sponsors legislation with CALCRA. The site contains much information on nursing homes and residential care facilities for the elderly, including CCRCs. It also provides information on legislation, elder abuse cases, how to find an attorney familiar with problems of the elderly, and much more.
- **Consumer & Patient and Health Information (CAPHIS)** This contains information on health matters and provides links to many other websites of interest to CCRC residents.
- **California Department of Social Services, Continuing Care Contracts Branch** The California Department of Social Services (DSS) is responsible for the oversight of all continuing care providers (skilled nursing facilities, CCRCs, other care providers) . Its Community Care Licensing Division has two branches as regulators. One is the Senior Care Program which monitors providers for compliance with Community Care licensing laws and regulations pertaining to buildings

and grounds, accommodations, care and supervision of residents, and quality of service. Our particular concern is with the Continuing Care Contracts Branch, which is responsible for reviewing and approving applications to operate CCRCs and monitoring the ongoing financial condition of all CCRC providers and their ability to fulfill their long-term contractual obligations to residents. Its site provides a link to the sections of the Health and Safety Code dealing with CCRCs and information on how to contact the branch by email or by telephone, (916) 657-2592. It also includes a listing of all CCRCs and all CCRC providers in California.

- **Ombudsman** The link is to the Department of Aging and includes much information of interest to CCRC residents. This includes links to the Older Americans Act and the Older Californians Act. It also provides information on the Ombudsman Program. The primary responsibility of the program is to investigate and endeavor to resolve complaints made by, or on behalf of, individual residents in long-term care facilities. It is the program's goal to advocate for the rights of all residents of long-term care facilities. The advocacy role takes two forms: 1) to receive and resolve individual complaints and issues by, or on behalf of, residents; and 2) to pursue resident advocacy in the long-term care system, its laws, policies, regulations, and administration through public education and consensus building. Residents or their family members can file a complaint directly with the local Long-Term Care Ombudsman or by calling the CRISISline, 1-800-231-4024. All long-term care facilities are required to post, in a conspicuous location, the phone number for the local Ombudsman office and the Statewide CRISISline number. This CRISISline is available 24 hours a day, 7 days a week to take

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DISASTER PREPAREDNESS

by Clifford Kent, Spring Lake Village

California does have earthquakes. Storms like Katrina are not confined to New Orleans and fires and floods do happen. Since these come with little or no advance warning it is best to always be prepared for them.

Effective disaster preparedness relies on thorough integration of emergency planning at all levels of involvement - individuals, communities and government. This planning is especially critical at continuing care retirement communities (CCRCs) because of population density, age of residents, disabilities and limited independence.

Some years ago, through CALCRA's efforts, a requirement was introduced in the Health and Safety Code that each CCRC have a disaster preparedness plan.

Each provider must make its plan available to residents in a prominent location in the facility. Residents should become familiar with that plan. Perhaps

the best way to accomplish this is to encourage management, the resident council or your CALCRA chapter to review the plan at a meeting of all residents inviting the local police and fire departments to participate. This would help stimulate better coordination of the efforts of the CCRC and the local government, and would encourage residents to consider what they should be doing to be ready themselves. Having such a meeting every year or two would help encourage the preparedness that we would wish for should there be a disaster.

The Red Cross recommends that everyone be prepared to survive with no outside assistance for three days following an event. As a worst case this means CCRC residents need to be able to get along for three days with only the minimum staff that might be available at 3 AM on a Sunday morning. Other assistance might arrive

but you cannot depend on it. So the disaster response may be based on that very limited staff along with any trained, organized residents. Water, electricity, telephone and other services may not be available; roads may be blocked; part of the building may be destroyed; medical attention may be limited.

There is an enormous amount of material concerning earthquake or disaster preparedness available on the Internet. Simply enter "disaster preparedness" or "earthquake preparedness" into your search engine. Determine what you need and have more than that available since many residents will not be able to take care of themselves.

Obviously none of us wants to ever have to face the consequences of a disaster but think about how much better you would feel if you were prepared for it when it came.

EVERYTHING A CCRC RESIDENT NEEDS TO KNOW con't...

calls and complaints from residents. The Ombudsman Program is a community-supported program. Volunteers are an integral part of the program. Ombudsman services are free and confidential and include questions or concerns about quality of care, financial, physical, mental or emotional abuse of residents, witnessing services for Advance Health Care Directives, requesting an Ombudsman to attend a resident care plan meeting and requesting an Ombudsman to attend a resident or family council meeting. Make sure this information is posted prominently in your community.

- **Senior Programs** This site provides access to articles on senior health and fitness.

Another website maintains important information from the Internal Revenue Service: www.guidestar.org. Its principal purpose is to provide public information derived from IRS Forms 990, the annual tax returns of, literally, millions of non-profit

organizations. This includes financial information as well as the annual compensation of its chief executive officer, the chief financial officer, members of the board of directors and each organization's five highest paid employees. Since this information is rarely volunteered by non-profit CCRCs the website is of particular interest to their residents. The form also includes information on all other organizations affiliated with the provider. It makes it possible to compare your provider's information with others in California and elsewhere in the US. Because it is based on tax returns it is not as current as you might like it to be.

Much relevant government information is provided on the CALCRA website with links to The California Legislature and to the Continuing Care Contracts Branch. Also, the www.ca.gov website provides access to such diverse information as tax forms, various state publications, highway conditions, voter information and much more.

And the www.leginfo.ca.gov website offers easy access to current bill information, California law and

legislative publications.

And, finally, there are the www.google.com and www.yahoo.com sites that, along with their search engines, provide access to whatever you want to know about anything concerning CCRCs.

Above all, don't let this myriad of information sources overwhelm you or your helper! Start off by making it simple, systematically pursuing only your priority interests or concerns. As you go along you can branch off on links to other interests if you wish to. Pretty soon you'll be expert on a subject that is vital to comfort in your retirement life and you may find that you can be very helpful to your fellow residents!

CALCRA chapters might consider assigning monitoring of these websites to computer competent members who could then report on matters of interest to the local members. This also might be coordinated with CALCRA chapters at other CCRCs operated by the same provider. The statewide organization would also welcome comments on what might be done to improve the CALCRA website.

IT BEARS REPEATING

by Virginia Anderson

It is easy for long time residents and even easier for new residents to take for granted resident involvement in the budgeting process at each facility. While we don't particularly like yearly fee increases, at least residents are now involved in the budgeting process. That there is resident involvement is thanks to CALCRA.

Until seven years ago, the only budget information that was given at St. Paul's Towers in Oakland was at a brief half hour meeting with the resident council before the meeting with residents to announce the annual fee increase.

Current Health and Safety Code regulations which were sponsored by CALCRA and protested every step of the way by CAHSA, the previous name of the providers organization now known as Aging Services of California, require that providers make available, not less than semiannually, to the resident council or a committee of residents a

financial statement of activities, comparing actual costs to budgeted costs, broken down by expense category, and to consult with the resident council or the committee of residents during the annual budgeting process. Providers are also required to hold semiannual meetings for the free discussion of financial issues and other subjects including changes in policies programs and services.

CALCRA also was the instigator of the requirements that there be a resident representative to the provider board of directors with access to executive sessions related to budgets, fees, expansion and debt, and that the resident representatives have the right to attend board finance committee meetings.

It should be noted that Episcopal Senior Communities, the provider for St. Paul's Towers, has responded fully and in good faith to the resident involvement requirements, even to the extent of scheduling meetings

open to all residents to review the budget and allowing discussion and questions. If your provider is not adhering to the requirements you need, first involve your resident council and, if your provider is not forthcoming, a report/complaint should go to the Department of Social Services.

For CALCRA to continue its efforts to benefit residents of improved provider transparency and accountability more effectively a larger CALCRA membership is needed. More members will give CALCRA more clout in dealing with the providers and in its legislative efforts. Unfortunately, "the way it's supposed to be" doesn't just happen nor will it continue without resident support.

**YOU NEED CALCRA,
CALCRA NEEDS YOU**

WWW.CALCRA.ORG
We're on the Web!!!

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