



## ***Aging with Confidence, Grace & Vitality: Making New York a Better Place to Age***

**February 10, 2015**



## **2015 Policy Agenda**

**New York State Coalition for the Aging, Inc. & LiveOn NY  
in conjunction with the Association on Aging in New York**

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## **2015-16 Budget Priorities**

### **Eliminate waiting lists for aging services by including \$21 million in additional funding to the Community Services for the Elderly (CSE) Program**

- On behalf of thousands of older New Yorkers, we are grateful for the \$5 million for CSE provided in the 2014-15 Enacted State budget and even more appreciative that Governor Cuomo has kept this funding in his 2015-16 Executive Budget proposal.
- In order to address the continued unmet need for aging services, we are requesting \$21 million in additional funding for CSE in the 2015-16 budget.
- Currently, 7,600 older New Yorkers are on waiting lists for services that they need.
- Why CSE: The CSE program is flexible. It enables local Area Agencies on Aging and community-based providers to address areas of greatest need within their community. Some areas might have waiting lists for home delivered meals, case management for homebound elders and social model adult day services, whereas others may need more funding for in-home personal care services and transportation for medical appointments. Yet other areas might have a need for all of these services. This is of great value to their family caregivers who provide \$32 billion of care and need support from the state. Funding CSE is cost efficient for the state's budget as it can delay or prevent the use of Medicaid funds.

### **Waive the 25% local match for all new CSE funding**

For years, county government and localities have provided additional funding for aging services, but they would be hard pressed to make additional contributions.

- County governments are struggling to make their budgets. Often times, they do not have the resources to match the CSE funding, leaving that community with no additional support for older adults. If the State would waive the 25% match requirement, older adults throughout the State would benefit from additional CSE funding.

## Balancing Incentive Payment (BIP) funds, NY Connects and No Wrong Door (NWD) Sustainability

- The aging services network statewide supports the \$8.2 million in the Executive Budget to sustain NY Connects as a fully functioning No Wrong Door for both Medicaid and non-Medicaid eligible individuals. For 2016-17, we recommend sufficient funding to support NWD requirements. The federal BIP grant includes funds to expand and enhance NY Connects to be the No Wrong Door (NWD) for Information & Assistance for long term services and supports.
- The federal BIP grant includes funds to expand and enhance NY Connects to be the No Wrong Door (NWD) for Information & Assistance for long term services and supports. The BIP grant ends on September 30, 2015.
- Seniors and their caregivers need information on long-term care services and supports to help them make decisions on options for care and services. NY Connects provides this information and has already been established in 54 counties in the State and will expand statewide as part of the BIP initiative.

## Increase funding for Elder Abuse Prevention Programs by \$5 Million

- Governor Cuomo's budget included \$745,000 for elder abuse services. The original amount allocated by the Legislature was \$945,000. These funds should be baselined and include an additional \$5 million to address the elder abuse pandemic statewide.
- Elder abuse is a hidden crisis. According to the 2011 NYS study, "Under the Radar: NYS Elder Abuse Prevalence Study," for every one case of elder abuse reported to an authority, 24 cases go unreported. An astounding 260,000 older New Yorkers statewide experiencing elder abuse behind closed doors.
- The demographic reality of an aging population means the number of abuse incidents is likely to rise.
- With more funding for elder abuse programs, there would be better detection, intervention, increased capacity for elder abuse specialists to work with law enforcement and more education given to the public which would reduce the prevalence of this heinous crime.
- New York State Office of Children & Family Services (OCFS) presented preliminary findings on their study title "New York State Cost of Financial Exploitation" at the New York State Adult Abuse Training Institute (AATI) on September 18, 2014 in Albany.
  - **What the study included:** The study looked at 928 cases from 31 districts. (27 districts did not participate) and included all adults. However the majority of the cases appeared to be older adults. The study looked at: 1) actual value/cost of crime (what was stolen); 2. Cost to agencies (APS/OCFS, police, DA's, courts, State Office for the Aging, etc); and 3) cost to government entities for new services needed as a result (going on new benefits because of crime, most common – SNAP, Medicaid, Crime Victims Assistance, etc). An array of state agencies and resources are impacted for each individual case. Not only is this obviously costly, but results in complex cases.
  - **Preliminary findings:** The preliminary numbers (which they said is a rough estimate and is conservative) were in the range of \$1.7 billion in annual costs to NY based on the 31 districts that participated so it would rise with the other 27 that didn't participate. Also, as we well know, this crime is underreported. They had 928 actual cases, and the extrapolated the data based on that sample and used different statistics to come up with the \$1.7 billion number for the preliminary findings. They also looked at general statistics, such as who were the perpetrators, etc.
  - **Cost of elder abuse is far greater than previously determined:** To give some perspective, the 2008 MetLife study that is often cited put the national cost of these crimes at \$2.9 billion nationally. Clearly, the OCFA study shows that the costs to New York State are far higher.
- The final report has not yet been released. It is our understanding that it will be released in a few months.

## **Long Term Care Ombudsman Program**

- The Long Term Care Ombudsmen Program (LTCOP), as required under the Older Americans Act, is the voice of residents and families of those who reside in State Licensed Long Term Care Facilities. These highly trained hands-on volunteers are often the first ones to respond to complaints and concerns lodged by residents and their families regarding their rights, their safety, and the quality of services being provided. However, due to inadequate State & Federal funding, many older adults in long term care facilities have no regular Ombudsman and receive no routine visits as required by law. We urge the legislature to protect these vulnerable older adults by increasing funding to this critical program.

## **\$50 million Nonprofit Infrastructure Capital Investment Program**

- We support the creation of this capital investment program for not-for-profits in the human services field, especially those who serve New York's seniors. Many organizations, centers and services that support older New Yorkers are in dire need of renovations or expansions of space used for direct program services as well as projects that improve accessibility. Older New Yorkers deserve to receive services in a safe and attractive environment.

## **LEGISLATIVE PRIORITIES:**

### **1. S. 639 (Valesky) - Address the hidden crisis of financial elder abuse by enacting legislation that will increase collaboration between banks, adult protective service (APS) and law enforcement to protect the financial security of vulnerable adults.**

- Presently in New York State, there is no standard protocol for the reporting of elder financial exploitation by financial institutions to APS.
- APS workers are mandated reporters, but are unable to get the information that they need to confirm or negate abuse allegations.
- S.639 has three main components:
  - Amends New York Social Service Law §144a & §443a and Section 4 of the Banking Law to require financial institutions to provide access to or copies of records relevant to investigating suspected financial exploitation or attempted financial exploitation of existing APS clients and those clients who are referred to APS.
  - Creates a mechanism that *stops the bleeding* by creating a seamless communication between banks and mandated reporters. If a bank should decide to refuse to disburse funds because it is reasonable to believe that financial exploitation of a vulnerable adult may have occurred, the bank must report the incident to APS and disclose relevant information that could assist APS in its investigation.
  - Offers banking institutions and their staff liability protection for helping APS and law enforcement combat financial exploitation. This protection is only given for reports and disclosures made in good faith.
- NY needs to join the over 20 states that have enacted laws to protect elders from financial exploitation.

### **2. S.676 (Hannon)/A.1323 (Rosenthal) - CARE ACT CAREGIVER ADVISE, RECORD AND ENABLE ACT**

- This bill requires hospitals to allow a patient to designate a caregiver in their medical record. In addition, the hospital must notify and offer to meet with the designated caregiver to discuss the patient's plan of care prior to discharge or transfer to another facility. Furthermore the hospital shall offer to adequately train the designated caregiver in certain aftercare tasks upon a patient's discharge to his or her current residence.
- At any given time during the year, over four million family caregivers in New York State are providing unpaid care for a loved one, contributing an estimated 2.68 billion hours annually at an estimated worth of \$32 billion.
- Caregivers of seriously or chronically ill older adults are concerned about their lack of preparation for the responsibilities of caring for their loved ones as they transitioned from hospitals back to their own residences. Once home and frequently alone with their relatives, caregivers are often overwhelmed when required to give injection, change catheters, or perform other medical tasks. In addition, all too often, family members did not receive advance notice that their loved ones were being discharged. Even when notice was provided, they may not have been involved in the development of the discharge plan, or, even if they were, they did not feel adequately prepared, given the magnitude of what to remember and do once their loved one returned home.
- This legislation addresses the concerns expressed by caregivers by allowing for the designation of a caregiver, requiring a plan of care prior to discharge and provides the much needed aftercare training caregivers need to adequately care for their loved ones.

### **3. S.626 (Valesky) Capital infrastructure improvement and development for older New Yorkers (CIID NY) grant program**

- CIID NY would provide grants to encourage improvements in the operation and efficiency of the aging service provider network in New York State. These funds will ensure the quality of community based services provided through the aging network remain accessible to older New Yorkers, including but not limited to services provided in senior centers, respite sites, NORC supported service, social adult day programs services, nutrition service providers, and others as determined by the director of the State Office for the Aging.
- This legislation would provide a much needed dedicated funding stream in order to address the growing needs of and demands on our aging network. In addition, these home and community based supports and services allow seniors to live with confidence, actively and independently in their homes and communities for as long as possible.