

Report of the
COMMISSION ON THE NEEDS OF ELDERLY VIRGINIANS
To
THE GOVERNOR
And
GENERAL ASSEMBLY OF VIRGINIA



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COMMONWEALTH OF VIRGINIA
Department of Purchases and Supply
Richmond

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.....

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DIVISION OF LEGISLATIVE SERVICES

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COURTNEY R. FRAZIER
STAFF ATTORNEYS

BETH. NEALE
LEGISLATIVE RESEARCH
ASSOCIATE

**REPORT
OF
THE COMMISSION ON THE NEEDS OF ELDERLY VIRGINIANS
to the
GOVERNOR AND GENERAL ASSEMBLY**

Richmond, Virginia
November 13, 1974

TO: Honorable MILLS E. GODWIN, JR., Governor of Virginia

and

THE GENERAL ASSEMBLY OF VIRGINIA

HISTORY

The Commission on the Needs of Elderly Virginians was established by the General Assembly in 1973 with this charge;

“Whereas, a substantial proportion of the citizenry of the Commonwealth are over sixty years of age and this proportion is constantly increasing; and

Whereas, the Virginia White House Conference on Aging, following Community White House Conferences throughout the Commonwealth, as well as numerous legislative bodies including the General Assembly of Virginia, have recognized that in very large measure elderly residents of the Commonwealth as well as those in the rest of the nation, not only are not sharing in the expanded economy of the past decade but are adversely affected by it; and

Whereas, federal funds under the Older Americans Act and other federal enactments providing the financial base for improved services and benefits by State and local jurisdictions for the elderly are steadily increasing; and

Whereas, numerous proposals for the improvement of the status of the elderly have been made by the White House Conference on Aging and other groups; and

Whereas, the well-being of older Virginians and the availability of needed services, facilities and other benefits so that elderly residents of the Commonwealth may maintain themselves in reasonable dignity or have adequate care, are of deep concern to the Commonwealth; now, therefore, be it

Resolved by the House of Delegates, the Senate concurring,

That a Commission is hereby created to be known as The Commission on the Needs of Elderly Virginians, which Commission shall make specific recommendations to the Governor and the General Assembly as to areas of need in matters affecting the elderly in which legislative action is deemed to be necessary or desirable.

All agencies of the Commonwealth are directed to cooperate with the Commission upon request.

The Commission shall be composed of fifteen members, eight of whom shall be appointed by the Speaker of the House of Delegates and seven members who shall be appointed by the Committee on Privileges and Elections of the Senate. Members of the Commission shall receive a per diem allowance of thirty-five dollars for each day and any part thereof devoted to their duties as members of the Commission and in addition shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties for which, and for such secretarial, technical and other assistance as may be required, there is hereby appropriated the sum of fifteen thousand dollars from the contingent fund of the General Assembly.

The Commission shall conclude its study and file an interim report and recommend legislative action not later than December one, nineteen hundred seventy-three, and a final report by November one, nineteen hundred seventy-four."

The Commission met regularly with the many governmental agencies concerned with the needs of elderly Virginians.

During April and May, 1974, over 1,200 people attended six public hearings conducted by the Commission in Richmond, Arlington, South Boston, Abingdon, Staunton and Norfolk. More than 125 people testified before the Commission, many representing themselves and their own points of view but many more representing large social service agencies, both public and private, as well as large citizen groups of the elderly. The three needs of the elderly most often identified were home health services, transportation and tax relief.

The Commission was also assisted by volunteer task forces in which approximately 100 persons participated.

In its Interim Report, the Commission recommended that the Office on Aging be transferred from the Division of State Planning and Community Affairs to the Secretary of Human Affairs. Legislation to accomplish this was passed, and the new Office became effective July 1, 1974. A Director has been appointed. The 1974 State budget included \$60,000 to fund the Office. The Commission also asked for an appropriation to be used for matching funds for local programs for the elderly; \$100,000 was appropriated, the first such appropriation in Virginia.

Introduction

The needs of Virginia's senior citizens are as varied as any other group of individuals. Meeting those needs, however, becomes more difficult as these citizens are faced with mounting health and shelter costs and other expenses on limited or fixed incomes. The Commission has had little difficulty in identifying many needs. It has concluded that they should be met by existing institutions and agencies, both public and private, wherever practicable.

As people grow older some are less able to support and maintain themselves independently, and the quality of their lives can be directly related to the quality and number of public facilities and services available to them.

The category of "elderly" or "senior citizen" is vague and defies an accurate and simple description. Normally, the term is used when a person reaches an age of retirement, whether arbitrarily fixed by statute or company policy, and the mental or physical condition of the individual is rarely of any significant importance.

As a person increases in age, his or her health problems and handicaps may or may not increase, but the necessity for maintaining suitable housing and other personal needs must all be met on fixed and reduced incomes. Retirement, and the death or disability of a marriage partner, often requires adjusting to life's daily demands under an entirely new and different set of conditions. These problems are frequently compounded by the loss of mobility and the resulting loneliness that follows as family and friends die or become more involved in meeting the demands of their own immediate family requirements.

Whenever possible, the General Assembly should fund necessary programs which cannot be financed by the private sector, but it must exercise restraint and not hold out false hopes by adopting policies or approving programs which are not funded to a realistic level.

Because we have a tendency to consider elderly citizens as a statistic within an arbitrary established age group and not as individual people engaged in the natural process of growing older, we have neglected to spend sufficient time and study on the aging process. We have now learned that there is much we do not know about aging and how it affects people and their behavior except in a physiological and perhaps superficial way.

Ways must be found to reverse the trend toward isolation as a person grows older. Few people can retain their vitality in a purposeless existence. Programs must be designed to provide senior citizens activity and employment tailored to individual needs, interests and capabilities. Our society needs their skill and experience.

With these broad principles and concepts in mind, the Commission makes its recommendations and comments.

TRANSPORTATION

Recommendation:

The General Assembly should enact enabling legislation making school buses available for use by agencies of the State and of local governing bodies and nonprofit organizations serving the elderly when not required for transportation of students to and from school. Agreements for such use should be negotiated between the school boards and the unit of government desiring to use the buses.

Isolation of the elderly is increased by the lack of adequate transportation. Over 160,000 older Virginians live in areas where they do not have access to necessary transportation. In urban centers, public transportation is available and, in some cases, elderly persons pay reduced fares. But, even in urban centers, many older persons are hindered by lack of accessibility to public transportation, physical disabilities which prevent their use of such transportation, and the inability to pay regular or reduced fares. In most cases, the rural elderly have no access to public or private transportation. Many older persons either do not have automobiles or they cannot drive. Taxi service is expensive and, in some areas, nonexistent.

Adequate transportation is a prerequisite for the elderly to reside in their own homes and yet have access to medical facilities, social services and shopping areas. Mobility helps to keep the elderly from looking to costly institutions to meet their needs.

The Commission traveled across the State this past year listening to testimony at public hearings. The top priority of an overwhelming majority of speakers was transportation. This testimony was received from governmental employees dealing with the problems of the elderly and operators of homes for adults, as well as the elderly themselves. The Commission, impressed by this outpouring, feels that the need must be met now.

The passage of the Commission's suggested legislation, which would allow further use of school busses, will make available to the elderly needed transportation. This present community resource can fill a gap in transportation which will enable the elderly to get to needed services when no other alternative is available. For the past year and a half, Arlington and Fairfax Counties have been using school buses under special legislation. The benefits to senior citizens have been impressive. The program operates at no expense to the local school division. No insoluble insurance difficulties have developed nor have there been any safety problems. As the special legislation is now written, the vehicles' flashing lights are turned off and the sign "Stop, State Law" is covered when not in use as a school bus. The recommended legislation includes similar provisions.

The Commission is pleased to learn of several possible federal funding sources for special transportation programs that will affect the elderly. One source will provide for comprehensive transportation systems to be developed in rural areas, but funds will be extremely limited. This source may provide programs for only

one or two demonstration projects for Virginia as there is no specific allocation of funds for individual states. Another source, which will include funds for urban areas, does have a specific allocation of \$407,000.00 for Virginia. These funds are available to private non-profit groups to purchase capital equipment especially needed by the elderly and the handicapped. The Commission understands that applications for both types of service are being coordinated through the offices of the Secretary of Transportation and Public Safety, the Secretary of Human Affairs, the Office on Aging and the Department of Highways and Transportation and commends the individuals and agencies concerned for their efforts on behalf of the elderly.

HOME AND COMMUNITY SERVICES

Recommendation:

The General Assembly should direct the State Department of Welfare to develop a statewide social services plan, including homemaker services, using the social service funds available from the United States Department of Health, Education and Welfare.

Several millions of dollars (estimates range from \$7 to \$13 million) in federal funds, which are available for the provision of social services to the elderly, are not being used by Virginia. Repeated requests for information and clarification on this point have been met with confused and contradictory responses or no response at all.

It is the conviction of the Commission that a legislative directive to produce a social services plan is the only way to insure the delivery of these services which are mandated by law and to insure that Virginia utilizes available federal funds.

The Commission believes not only that it is essential that the State Department of Welfare develop and implement a statewide plan for social services but that these services be made available to every elderly Virginian, with fees based on ability to pay.

A study done by one of the task forces of the Commission revealed that a number of mandatory social services are not available in many communities of the State. The Commission's Task Force on Community Services noted that the current status of services is that some are available on a statewide basis and others are available only in certain parts of the State or to varying degrees in different parts of the State. In rural areas, fewer community services are available than in the larger cities. (Appendix 1, pp. 45-56)

Recommendation:

The General Assembly should authorize \$750,000 per year to double the number of home health aides assigned to the State Department of Health. A substantial portion of this would be

recoverable under various insurance plans, chiefly Medicaid.

Essential components of a comprehensive home care service are home health aides, who operate out of the Department of Health, and homemakers, whose services are available through the Department of Welfare.

The home health aide works under the supervision of a health care professional as an essential part of the health care team, and the services provided allow those elderly who are recovering from illnesses or who need some supportive health care to remain in their own homes or the homes of their families rather than be forced to resort to some type of institutionalization.

Many senior citizens find, at some point, that they are unable to perform the necessary chores involved in housekeeping, and the services of a homemaker, who can assist in maintaining the home properly and in preparing meals, could serve to extend the period of time in which a senior citizen could maintain himself in his home.

The Commission feels that a homemaker program available statewide, an increased number of home health aides and cooperation between the Departments of Health and Welfare will serve to further the very important program of home care.

PROTECTIVE SERVICES

Recommendation:

The General Assembly should amend existing law for protective services to adults to allow the local welfare departments to provide such services to persons whose advanced age or physical condition do not permit their providing services for themselves. Legal safeguards must protect the rights of an individual receiving protective services as well as the person rendering them.

In 1974, the General Assembly enacted legislation providing for protective services for adults which guarantees the right of an individual to refuse such services. At its public hearings, the Commission heard many pleas to remove or modify this guarantee in the law and was cited numerous examples of situations wherein the exercise of this right resulted in serious harm or death to the individuals exercising it.

The Commission desires a strong protective services law. It, therefore, recommends certain changes in the present law which will protect the individual's rights by a judicial proceeding to declare partial incompetency for specific purposes. The Commission supports House Bill No. 794 of the 1974 Session which allows a finding of partial incompetency. The Commission also recommends changes to the present protective services law to provide civil and criminal immunity for persons rendering protective services, so long as the acts of such persons are within the scope of their duty to provide protective services.

EDUCATION AND RESEARCH

Recommendation:

A Center on Aging should be established at Virginia Commonwealth University.

In 1973, the Commission's Interim Report stated that colleges and universities in the Commonwealth offered very few gerontology courses, and not a single degree program in this field. Today, the situation is virtually the same. The nearest degree programs are in Florida and Michigan with the exception of a program in geriatric psychiatry at Duke University.

The proposed State Center on Aging will provide information and knowledge within the Commonwealth. It will focus the resources of the University on the problems and the needs of the elderly. The Commission believes that the Center on Aging can best be developed at Virginia Commonwealth University and should be established there because of: (1) the diversity of discipline and professional education in this State University and (2) the close proximity of the University to the various State agencies which will utilize the Center.

The Center is conceived as an information and knowledge source which would be available to all who needed it. It would be a study center to relate these factual data to the search for planning solutions, bringing to bear on the problems and needs the full resources and specializations in the University and from other resources. In this way, the capabilities of all agencies and organizations needing these resources would be expanded by specialities and skills they could ill afford to duplicate.

Recognition of the support role of the Virginia Center, as conceived, is best demonstrated by its endorsement from:

colleges and universities in the Commonwealth, public and private

major health, welfare and education State agencies

individual faculty members across the State, including members from community colleges

a diversity of professional leaders in the State and in other states

representatives of federal agencies.

Education and Training

The Center on Aging should provide the following services:

1. Development of courses for students seeking degrees in related fields who need to understand the aging process, i.e., social

- welfare, health care, community planning, adult education, etc.
2. Continuing education and in-service training for those now working with the elderly but who have not had specific training in gerontology.
 3. Development of a degree program in gerontology at the Master's level to prepare students for leadership and teaching courses in the field of aging.
 4. Education and training for the elderly in areas such as retirement planning, health maintenance, second careers, recreation and self-development.

The Commission also recommends that programs of study in at least one institution in each of the higher education consortia regions of the State include gerontology. This will give hundreds of students the opportunity to develop interest and competency in the field of gerontology. This approach would begin to meet the growing need for qualified professional and para-professional personnel in this expanding field.

Data Collection, Storage and Retrieval

This will involve the gathering and maintenance of data on the characteristics and needs of elderly Virginians on a statewide and regional basis providing a reliable base of information which will be available to all State agencies and organizations involved in planning and service delivery programs.

A body of information about the aged population is available but is based upon national census data, estimates of national and regional incidence and prevalence, universalized projections based upon limited studies and samples, and value judgment appraisals. There is no state in which there is an accurate knowledge of the conditions and circumstances of its own older citizens. There also is no coordinated thrust to obtain needed information, and, as a result, no adequate coordinated service program.

Research

The Center will provide concerned agencies in the State with knowledge of research findings in the field of gerontology, and will encourage and facilitate investigative studies to obtain knowledge needed.

Such a Center on Aging in conjunction with a degree program in gerontology offered at Virginia Commonwealth University can attract outstanding professionals who will stimulate young people and others to find their vocations in areas related to gerontology. It can also be a resource for training service delivery personnel already at work in State and local agencies. Without trained personnel, services to the aging will not be of the quality or quantity needed for this growing segment of the population.

If each component of the Center were to be budgeted separately

for either planning and development or for operation, the costs would be substantially greater than would be development as a composite entity. One very obvious economy is the maximum use of total staff resources engaged in this project. Another economy is that of unduplicated administrative costs.

As now proposed, a first year for planning and development can be achieved at a State cost of approximately \$75,000, since a federal grant for \$55,000 has become available for this purpose. The first year of full Center operation carries a projected cost estimate of approximately \$186,000, with approximately \$21,000 available for this purpose and the strong possibility of securing external support for approximately one-half of the balance of the cost.

Recommendation:

The General Assembly should remove the income restriction from the Senior Citizens Higher Education Act of 1974.

Under the Senior Citizens Higher Education Act, a student over 65 years of age may attend any State-supported institution of higher learning in Virginia, paying no tuition or fees, on a space-available basis, only if the student's taxable income does not exceed \$5,000 for federal income tax purposes for the year preceding the year in which enrollment is sought.

Continuing education—continuing growth—is a vital part of retirement for those who make use of it and the Commission believes senior citizens should be able to attend State institutions of higher learning at no cost, provided there is space available and no cost to the institution.

SHELTER

Recommendation:

The new State Office on Housing should continue to make available to the elderly in rural Virginia information about the Farmer's Home Administration, and assistance with the purchase of homes they can afford.

The Commission is impressed with the work of the State Office on Housing in cooperation with the Farmer's Home Administration, U. S. Department of Agriculture, in making homes available to the poor and elderly in rural Virginia. During fiscal year 1974, over 6,500 housing units were constructed with the Farmer's Home Administration investing \$122 million in the State. In this field, Virginia leads the nation.

No limit on age is set to secure housing under this program, so elderly Virginians benefit as well as younger ones. An income maximum (\$12,100 per year from all sources) makes the program possible for many of the rural elderly who are not homeowners. Also available are interest credit loans in which the federal

government picks up much of the interest cost (adjusted to income), making the program accessible to those elderly with very modest incomes.

Recommendation:

The State Department of Welfare should be directed to present a report on costs of care based on services provided in homes for adults to the 1976 General Assembly.

During the Commission's public hearings held across the State, operators of homes for adults as well as agency people who facilitate placement of the elderly into these homes testified that the present reimbursement formula is not sufficient to meet the needs of the residents, nor for the profitable operation of these institutions. In compliance with the 1974 Appropriations Act, the State Department of Welfare is currently receiving data on the operational costs of homes for adults. The Commission feels that a report on this cost data will provide the General Assembly with the necessary information, heretofore unavailable, upon which to make a determination regarding its appropriations for such services.

Recommendaton:

Nursing homes should be encouraged to develop day care programs for adults.

The facilities of some nursing homes are not being fully used by the residents. With minimal staff increases, day care programs could be developed for the elderly who are not yet in need of full-time institutional care but need daily care. Where such programs have been developed they have proven useful as another alternative to final institutionalization.

When an elderly person lives with a family member who must work and who, therefore, cannot provide the necessary care but wants to keep the elderly relative in the home as long as possible, such a day care program can keep the family together.

Programs of this kind often can be developed and maintained at far less cost to the consumer and the taxpayer than full-time nursing care and is an alternative to the more expensive institutionalization of the elderly person. More important than the savings in dollars is the increase in freedom and dignity that results when an elderly person lives with his family or by himself in familiar surroundings.

Recommendation:

The State Departments of Welfare of and Mental Health and Mental Retardation should coordinate the planning of aftercare services to a patient in a State hospital prior to his release, when such patient is a present or potential client of a local welfare or social service agency, and involve such a local agency in the planning.

With the present program of deinstitutionalization of patients at hospitals operated by the State Department of Mental Health and Mental Retardation, there is an urgent need for pre-release planning regarding aftercare treatment and placement. The Department of Welfare and the Department of Mental Health and Mental Retardation should coordinate the efforts of their agencies to assure that a present or potential client of a local welfare or social service department will be provided the necessary services and proper placement in order to avoid reinstitutionalization or the reoccurrence of past experiences with deinstitutionalization which have resulted in inadequate care or a total lack of care. At present, the Department of Mental Health and Mental Retardation, through its S.I.D. program, is conducting pilot projects and educational programs in coordination with social service agencies involved with deinstitutionalization in order to seek solutions to some of the problems which have arisen as a result of this process.

STATE OFFICE ON AGING

With passage of House Bill 403, the 1975 General Assembly created the Office on Aging as a separate and distinct State agency to plan and provide for services to Virginia's elderly. Today, this office is organized and functioning in that role.

A number of activities and new developments point out the efforts of the Office to plan and coordinate services for the elderly:

The Office has carried over several on-going responsibilities from the Division of State Planning and Community Affairs, such as funding of programs under Title III of the Older Americans Act (including Area Agencies on Aging, Senior Centers, Protective Services, Transportation Programs and the like) and Title VII of the Older Americans Act (Nutrition Programs in both group and home delivered settings).

The Office is now serving as the lead agency to develop Virginia's Action Plan on Aging which will include not only the activities of this Office, but also those of other human affairs agencies.

The Office is serving on a major State policy Task Force for the Development of Information and Referral Systems in order to see that services to the elderly are made known to them.

The Office has served as the lead agency for the Supplemental Security Income Alert Program and, as such, has coordinated the work of numerous community agencies and individuals as older persons were reached to be informed about this crucial program.

The Office also serves as a coordinator for the seventeen (17) Retired Senior Volunteer Programs located in communities throughout the State.

Programs in the developmental stage include the following:

Transportation services to the elderly through capital equipment purchases with funds from the U. S. Department of Transportation now allocated to the Virginia Department of Highways and Transportation.

Training Programs for State staff and for community staff involved in working with the elderly.

Pre-retirement training programs that would be implemented through public agencies and private industries.

Nutrition buying cooperative which would allow the numerous nutrition programs across the state to pool their resources for purchasing, thereby allowing a greater number of older persons to be served within the available financial resources.

It is expected that the future trends of the Office on Aging will include a greater emphasis on the development of facilitating services for the elderly. Such services would allow the elderly a greater access to existing community programs with the development of new programs coming only at such point as major gaps in services are identified or discovered. Facilitating services include community planning and advocacy, transportation services and information and referral services. It is expected that while the State Office will gear its major thrust towards development of these types of programs, likewise Area Agencies on Aging will spend a greater percentage of their time and resources along the same lines, but at the community level. With such a partnership with the State and local community programs, the older Virginian will receive a much greater increase in attention to his well-being in our State.

Other goals of the Virginia Office on Aging include the dissemination of information about the resources available to elderly Virginians and their needs through newsletters, bulletins and other educational materials; and the development of formal training programs which will impart necessary skills for staff at the State and local level, in order that they may most effectively serve the elderly.

INFORMATION, REFERRAL AND TRACKING

Recommendation:

Compatible local and regional information and referral systems should be developed to provide statewide information and referral.

The Older Americans Act sets a clear priority for information, referral and tracking services. Future funding of programs for the aging will require these services in the area agencies. Information services provides a list of opportunities and services for older persons and may also develop lists of older persons in need of such information. Referral services identify needs and bring the person

and the service together. Tracking follow-up is provided to determine whether the person who needed assistance received it, and to insure that correct and proper records are maintained for use in identification of services and service gaps.

The Information Center of Hampton Roads, a federally-funded information, referral and tracking system, is one of the most comprehensive such systems in the country, and Virginia is fortunate to have been chosen as one of the sites to receive a federal grant for this beneficial project. Several other information and referral systems are operating in Virginia and there are plans for more comprehensive and coordinated systems to be developed.

At present, funds are available through Title III of the Older Americans Act to help develop information and referral systems. Additional funds, however, will be necessary. The Commission believes information and referral services should be expanded to a statewide system, in order to improve service delivery mechanisms across the Commonwealth to avoid fragmentation.

This recommendation should be carried out by the Secretary of Human Affairs in cooperation with the State social service agencies and their local counterparts.

SPOUSES' BENEFITS

Recommendation:

The surviving spouse, if over 60, of a federal retiree should receive the same retirement income tax deduction given to the retiree.

Elderly women have about half the income of men. At present, the spouse of a federal retiree, civilian or military, receives approximately one-half of her spouse's income upon his death. The State tax laws make this decrease more unbearable by allowing the surviving spouse a smaller exemption for income tax purposes than the retiree. The Commission feels that the tax law of Virginia should be amended to allow the surviving spouse the same exemption as the retiree.

CONTINUANCE OF COMMISSION

Recommendation:

The Commission should be continued for an additional two years.

There is much work yet to be done. Proposed federal programs for housing, health insurance and other areas relating to the elderly will call for new State policies.

Because of the magnitude and scope of the problems of the elderly, the Commission was unable to find feasible solutions to some of these problems within the time allotted. These problems include specifically tax relief and employment.

Tax Relief

At its public hearings, the Commission heard from numerous speakers concerning property tax relief for elderly property owners. One speaker stated that senior citizens, who are property owners, pay an average of 8.1% of their incomes in property taxes while persons under 65 years of age pay less than 4.5% of their incomes. Many speakers opposed the present "local option" tax relief as many localities provide no relief at all. Most urged the implementation of a statewide property tax relief program for senior citizens to enable them to keep their homes and apartments.

The Commission realizes that it is extremely difficult for many of our elderly to pay increased percentages of their incomes for property taxes, which continually go up, and, at the same time, pay for the essentials of life at highly inflated prices on their inadequate incomes.

The Commission has been made aware of a number of approaches to property tax relief for the elderly. Several states have used the "circuit breaker" approach very successfully. This and the alternatives need to be given further study. There was no way in the time allowed the Commission to determine the best way to provide such relief at a cost which the State can bear.

Employment

The Commission is cognizant of the various problems created for many persons due to the policy of forced retirement at age 65, which arbitrary age was first selected in Germany by Bismarck over one hundred years ago. Also, the Commission has received proposals suggesting that compulsory retirement be eliminated and that merit system positions be made available to older workers on a flexible hour basis. (Flexible hours meaning four hours a day or one, two, three or four eight-hour days per week.) However, the Commission has not had sufficient time to study the effect of these proposals on the State personnel system or the supplemental retirement system.

The Commission recognizes existing contributions being made by innovative programs which serve as pilots to keep the elderly employed. These include "Operation Mainstream" and a program of the Virginia Employment Commission to employ two older persons in lieu of one younger person with hours being arranged to avoid loss of Social Security benefits. "Operation Mainstream" operates several projects in Virginia, with special emphasis on the elderly, including Green Thumb, Green Lights and Senior Community Service.

It is the belief of the Commission that the present programs and proposed changes require further study in order that their overall

effectiveness may be determined.

Respectfully submitted,

Mary A. Marshall, Chairman

Orby L. Cantrell, Vice Chairman

Leroy S. Bendheim

John C. Buchanan

Howard C. Cobbs

J. Marshall Coleman

George H. Heilig, Jr.

Thomas R. McNamara

Thomas J. Michie, Jr.

Bernard R. Mullady

Thomas J. Rothrock

Frank M. Slayton

C. Jefferson Stafford

.....
T. Preston Turner

Edwin L. Wood

APPENDIX I

THE ELDERLY IN VIRGINIA

In the year 2,000, Virginia may anticipate a population of one million persons over the age of 65 compared to the current number of 366,021. The population over 60 years of age will be 1 1/2 to 2 million in the year 2,000 and is currently 538,000.

INCOME

The Second White House Conference on Aging in the 1960's provided an impetus for the nation's developing a comprehensive and adequate program of social services for the aging. However, the lot of the older citizen has not improved; he has been caught in a squeeze caused by rapid inflation and rising taxes. As an example of rising costs, the older citizen, even with Medicare, was paying 17% more in 1973 for medical care and receiving less coverage than in 1972.

The U. S. Department of Labor reports that 15.5% of the total State population is poor, but 37.1% of all persons 65 years of age and older are poor or near poor. The older citizen seeking employment to improve his financial situation encounters insurmountable problems, age discrimination ranking at the top, even though many programs have been established and expanded in recent years to provide job opportunities for older persons (referred to earlier in this report).

THE ELDERLY BLACK

According to the 1970 census, Virginia has 865,388 black citizens, 64,842 of whom are over 65. The percentage of elderly persons in the total population is 7.9; among the non-white population, it is only 7.5. In regard to income distribution, 19.4% of all families with a household head over 65 are either poor or near-poor. 17.3% of all white families with household heads over 65 are either poor or near-poor; among the non-white families, 42.2% are in this category. This reflects employment among non-whites in poorly paid jobs during their working years as well as fewer private pensions to supplement Social Security benefits. The statistics also suggest that there is a greater need among our older black citizens in order for them to live with independence and dignity in the Commonwealth.

1 The current (1972) definition of "poor" and "near poor" is:

Poor—an older unrelated individual with an income of \$1,994. The poverty threshold is set at \$1,698 for an older woman in a farm area and \$2,025 for an older man in an urban area. For a two-person older family (usually a couple), the threshold is

\$2,505, ranging from \$2,141 for a female-headed farm family of two to \$2,532 for an urban couple.

Near poor—the “near poor” threshold is set at 125% of the “poor” threshold. Thus, the “near poor” threshold for an older individual is \$2,493 and for a couple is \$3,131. (definitions from DHEW Pub. No. 73-20008)

In 1972 nationwide, 25% of all older families (1.5 million) and more than 50% of older unrelated individuals (3.3 million) lived in households with incomes below the “poor” or “near poor” thresholds.

THE ELDERLY FEMALE

Women constitute the largest proportion of the older population but are the lowest income group. More males are born than females, but the longer life expectancy of the latter group produces a preponderance of females by the adult years. The following table shows the breakdown by age groups:

<u>Age Group</u>	<u>Females per 100 Males (1970)</u>
18 - 24	104.7
25 - 44	104.7
45 - 64	109.1
65+	138.5
65 - 74	128.8
75+	156.2
Total Population	105.5

Between 1960 and 1970, the female-male ratio for the total population over 65 years of age jumped from 120.7 to 138.5 per one hundred; in the 65 to 74 group, it increased from 114.9 to 128.8; and in the 75 + group, it jumped from 133.1 to 156.2.

Most of these older females receive an income less than half of that of the male population. At age 65, the mean annual income for males is \$4,241, but for females it is only \$2,027.

Broken down by race, white females over 65 have a mean annual income of \$2,188 and black females a mean annual income of \$1,218. The lowest mean annual income for any group in the nation today is the rural black female, whose income is \$990 for nonfarm and \$855 for farm.

APPENDIX III

A BILL to amend and reenact § 22-151.2 of the Code of Virginia, as set out in Chapter 368 of the Acts of Assembly of 173, relating to use of school busses by county, city, and town governments, and the State.

Be it enacted by the General Assembly of Virginia:

1. That § 22-151.2 of the Code of Virginia, as set out in Chapter 368 of the Acts of Assembly of 1973, is amended and reenacted as follows:

§ 22-151.2. The school boards of Arlington and Fairfax Counties *counties, cities and towns* may enter into agreements with the governing bodies of their respective counties , *cities and towns or a State agency* providing for the use of county , *city or town* school busses by departments, boards, commissions or officers of their respective counties , *cities or towns, or of the State* for county , *city and town or State* purposes for a period of two years from the effective date hereof . When such school busses are in use for nonschool purposes, the flashing red lights shall not be used and the "School Bus" inscription on the front and rear of such busses shall be covered.

HOUSE JOINT RESOLUTION NO.

Expressing the sense of the General Assembly on development of a statewide social services plan to the aging.

Whereas, Title VI of the Social Security Act provides for grants to states to furnish social, rehabilitative and other related services to the aging; and

Whereas, each state is required to submit a state plan of social services for approval by the Secretary of Health, Education and Welfare; and

Whereas, the Virginia Board of Welfare and the local boards of welfare are authorized by law to provide protective, rehabilitative and other social services to the aging; and

Whereas, the Virginia Board of Welfare has not developed a State plan for social services to the aging; and

Whereas, as a result of this failure, Virginia loses millions of dollars in federal funds each year which could be used to improve the lives of the Commonwealth's aging; now, therefore, be it

Resolved by the House of Delegates, the Senate concurring, That it is the sense of the General Assembly that the Virginia Board of Welfare develop a State plan of social services for the aging in the Commonwealth, to specifically include homemaker services, to be submitted to the Secretary of Health, Education and Welfare.

A BILL to appropriate funds to the State Department of Health for home health aides.

Be it enacted by the General Assembly of Virginia:

1. § 1. There is hereby appropriated from the general fund of the State treasury the sum of seven hundred fifty thousand dollars to the State Department of Health to be expended to employ home health aides to provide services to persons over sixty years of age.

A BILL to amend the Code of Virginia by adding a section numbered 63.1-55.2, relating to immunities and liabilities of State and local employees rendering protective services pursuant to § 63.1-55.1.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 63.1-55.2 as follows:

§ 63.1-55.2. Immunities and liabilities of employees rendering services pursuant to § 63.1-55.1.—Any employee of the State Department, or a local department of welfare or social services, who, in good faith, renders services to an individual pursuant to § 63.1-55.1 or renders such services upon the order of a court, shall not be liable for any civil damages for acts or omissions resulting from the rendering of such assistance, unless the act was performed in a malicious manner.

A BILL to create a Virginia State Center on Aging at Virginia Commonwealth University; and to appropriate funds therefor.

Be it enacted by the General Assembly of Virginia:

1. § 1. There is hereby created a Virginia State Center on Aging to be located at Virginia Commonwealth University, hereinafter referred to as the Center.

§ 2. The Center shall be an interdisciplinary study, research, information and resource facility for the Commonwealth of Virginia utilizing the full capabilities of faculty, staff, libraries, laboratories and clinics to the benefit of older Virginians and the expansion of knowledge pertaining to the aged and to the aging process.

§ 3. The Center shall be subject to the control and supervision of the board of visitors of Virginia Commonwealth University.

§ 4. The board of visitors of Virginia Commonwealth University shall appoint an executive director for the Center.

§ 5. The executive director with the approval of the board of visitors of Virginia Commonwealth University shall have the following powers and duties:

(a) exercise all powers and perform all duties imposed upon him by law;

(b) carry out the specific duties imposed upon him by the board of visitors of Virginia Commonwealth University; and

(c) employ such personnel and contract for such services as may be required to carry out the purposes of this act.

§ 6. The Center, under the direction of the executive director, shall have the following powers and duties:

(A) to develop a degree program in gerontology at the master's level in conjunction with the State Council of Higher Education;

(B) to develop and provide programs of continuing education and in-service training for persons who work with or provide services to the elderly;

(C) to develop educational and training programs for persons sixty years of age and older to assist them in adjusting to the aging process to include, but not be limited to, the areas of retirement planning, health maintenance, employment opportunities, recreation and self-development;

(D) to foster development of educational courses for students of higher education in disciplines other than gerontology to increase their understanding of the process of aging in humans;

(E) to conduct research in the field of gerontology and to make

available the findings of such research to interested public and private agencies;

(F) to collect and maintain data on the characteristics and conditions of persons over the age of sixty on a statewide and regional basis and to make such data available to the State Office on Aging and to all organizations and State agencies involved in the planning for and delivery of services to such persons;

(G) to coordinate the functions and services of the Center with those of the State Office on Aging in such a manner that the knowledge, education and research programs in the Center shall constitute a readily available resource for the planning and service implementation responsibilities of the State Office on Aging, and to do so in such a manner as to prevent any duplication of effort;

(H) to apply for and accept grants from the United States government and the State government and agencies and instrumentalities thereof and from any other source in carrying out the purposes of this act. To these ends, the Center shall have the power to comply with conditions and execute such agreements as may be necessary;

(I) to accept gifts, bequests, and any other thing of value to be used for carrying out the purposes of this act;

(J) to receive, administer and expend all funds and other assistance made available to the Center for the purposes of carrying out this act;

(K) to do all other things necessary or convenient for the proper administration of this act.

§ 7. For the purposes of this act, there is hereby appropriated from the general fund of the State treasury to the Virginia State Center on Aging at Virginia Commonwealth University the sum of seventy-five thousand dollars for the fiscal year beginning July one, nineteen hundred seventy-five, to be expended for planning and developing such Center.

A BILL to amend and reenact §§ 23-38.56 and 23-38.58 of the Code of Virginia; and to repeal § 23-38.57 of the Code of Virginia, the amended and repealed sections relating to the Senior Citizens Higher Education Act.

Be it enacted by the General Assembly of Virginia:

1. That §§ 23-38.56 and 23-38.58 of the Code of Virginia are amended and reenacted as follows:

§ 23-38.56. Attendance at state-supported institutions; conditions.—A senior citizen as defined under this chapter shall be entitled to register for and attend courses in any State-supported institution of higher learning in this Commonwealth and pay no tuition and applicable required fees, subject to his being a legal resident of this State and gaining admission to such an institution of higher learning, a determination by the institution of its ability to offer such course or courses sought by the senior citizen, and further subject to the provisions of § 23-38.57 and 23-38.58; provided, however, such senior citizen shall only be admitted to a course in which enrollment is sought after all tuition-paying students have been accommodated.

§ 23-38.58. Courses; terms; number and limitations.—In any one term, quarter or semester, a senior citizen may audit courses offered for credit or enroll in noncredit courses in any State institution of higher learning *if there is space available in such a course after all tuition-paying students are enrolled*, but he may register for no more than three courses pursuant to this section. There shall be neither a no limit to the number of terms, quarters or semesters in which a senior citizen may enroll under this section , nor shall there be an income limitation imposed upon such senior citizen

2. That § 23-38.57 of the Code of Virginia is repealed.

HOUSE JOINT RESOLUTION NO.

Directing the State Department of Welfare to submit a report to the General Assembly on the cost of operation of homes for adults.

Whereas, many elderly clients of the social service agencies in this State reside in homes for adults; and

Whereas, the present State supplemental grants are not sufficient to allow the operator of a home for adults to continue to receive these clients on a profitable basis; and

Whereas, the 1974 Appropriations Act authorized the payment of additional money if the operator of such a home submitted the actual cost of its operation to the State Department of Welfare; and

Whereas, the State Department of Welfare is presently receiving this cost data; and

Whereas, the General Assembly will need this cost data in order to make informed decisions during the budget-making process at its 1976 Session; now, therefore, be it

Resolved by the House of Delegates, the Senate concurring, That the State Department of Welfare is hereby directed to make a report to the General Assembly on the cost of operating a home for adults in this Commonwealth. The report shall include the average cost of providing basic services such as shelter, meals and other necessities as well as the average cost of additional services. If the Department finds that there is a wide disparity in cost by reason of geographic location within the State, the report shall show the average cost in each region.

The Department shall submit its report to the General Assembly not later than October one, nineteen hundred seventy-five.

A BILL to amend and reenact § 58-151.013, as amended, of the Code of Virginia, relating to Virginia taxable income.

Be it enacted by the General Assembly of Virginia:

1. That § 58-151.013, as amended, of the Code of Virginia is amended and reenacted as follows:

§ 58-151.013. Virginia taxable income.—(a) General. - The Virginia taxable income of a resident individual means his federal adjusted gross income for the taxable year, with the modifications specified in this section.

(b) Additions. - To the extent excluded from federal adjusted gross income, there shall be added:

(1) Interest, less related expenses to the extent not deducted in determining federal taxable income, on obligations of any state other than this State, or of a political subdivision of any such other state unless created by compact or agreement to which this State is a party; and

(2) Interest or dividends, less related expenses to the extent not deducted in determining federal taxable income, on obligations or securities of any authority, commission or instrumentality of the United States, which the laws of the United States exempt from federal income tax but not from state income taxes.

(c) Subtractions. - To the extent included in federal adjusted gross income, there shall be subtracted:

(1) Interest or dividends on obligations of the United States (other than on refunds of federal taxes) and on obligations or securities of any authority, commission or instrumentality of the United States to the extent exempt from state income taxes under the laws of the United States; and

(2) Interest on obligations of this State or of any political subdivision or instrumentality of this State.

(3) The following items of pension or retirement income and benefits:

(A) Pensions or retirement income to officers and employees of this State, its subdivisions and agencies, or surviving spouses of such officers or employees exempt from State income taxation under the laws of this State, and pensions or retirement income to officers and employees who are retired under the provisions of chapter 2 (§ 51-3 et seq.) of Title 51, or to spouses of such officers and employees;

(B) Pensions received from the United States or this State on account of military or naval service in armed forces, whether such service was rendered by the recipient of the pension, or by a relative by blood or marriage; and

(C) to (E) [Repealed.]

(F) The first three thousand dollars of retirement benefits derived in each taxable year by a retiree and the first one thousand five hundred dollars received by the surviving spouse of such retiree from civilian service for the federal government or any agency thereof; the first two thousand dollars of retirement benefits derived in each taxable year by a retiree who has reached the age of sixty and the first one thousand five hundred dollars received by the surviving spouse, who has reached the age of sixty, of such retiree, and the first one thousand five hundred dollars received by the surviving spouse, who has not reached the age of sixty, of such retiree from the armed forces of the United States; the first two thousand dollars of retirement benefits derived in each taxable year by a retiree and the first one thousand dollars received by the surviving spouse of such retiree from any employer having a retirement plan meeting the qualification requirements of § 401 of the Internal Revenue Code of 1954 or from a state or local government other than those covered by subsection 3(A) hereof; provided, however, that such two or three thousand dollar subtraction for the retiree or the surviving spouse or one thousand or one thousand five hundred dollar subtraction for the surviving spouse shall be reduced by any adjusted gross income exceeding twelve thousand dollars, exclusive of any Social Security retirement benefits, received by such retiree or spouse during the taxable year.

(4) Dividends to the extent includible in gross income for federal income tax purposes and in excess of any dividend exclusion provided in the laws of the United States relating to federal income taxes, upon stock in:

(A) National banks and banks and trust companies organized under the laws of this State;

(B) Any corporation, fifty percent or more of the income of which was assessable for the preceding year under the provisions of the income tax laws of this State.

(5) The amount of any refund or credit for overpayment of income taxes imposed by this State or any other taxing jurisdiction.

(d) Deductions. - There shall be deducted:

(1) The amount allowable for itemized deductions for federal income tax purposes where the taxpayer has elected for the taxable year to itemize deductions on his federal return, but reduced by the amount of income taxes imposed by this State or any other taxing jurisdiction and deducted on such federal return; or

(2) The amount allowable as the standard deduction or low income allowance for federal income tax purposes where the taxpayer has elected for the taxable year to take such standard deduction or low income allowance on his federal return; and

(3) A deduction in the amount of six hundred dollars for each personal exemption allowable to the taxpayer for federal income tax purposes, and an additional deduction of four hundred dollars for

each exemption allowable to the taxpayer under paragraph (c) of § 151 of the Internal Revenue Code.

(e) Other modifications and adjustments. - (1) There shall be added to or subtracted from federal adjusted gross income (as the case may be) the individual's share, as beneficiary of an estate or trust, of the Virginia fiduciary adjustment determined under § 58-151.023.

(2) Where husband and wife have not separately reported and claimed items of income, exemptions and deductions for federal income tax purposes, and have not elected to file a joint Virginia income tax return, such items allowable for Virginia income tax purposes shall be allocated and adjusted as follows:

(A) Income shall be allocated to the spouse who earned the income or with respect to whose property the income is attributable.

(B) Allowable deductions with respect to trade, business, production of income, or employment shall be allocated to the spouse to whom attributable.

(C) Nonbusiness deductions, where properly taken for federal income tax purposes, shall be allowable for Virginia income tax purposes, but shall be allocable between husband and wife as they may mutually agree. For this purpose, "nonbusiness deductions" consist of allowable deductions not described in subparagraph (B) above.

(D) Where the standard deduction or low-income allowance is properly taken for federal income tax purposes such deduction or allowance shall be allowable for Virginia income tax purposes and shall be allocable between husband and wife as they may mutually agree.

(E) Personal exemptions properly allowable for federal income tax purposes shall be allocated for Virginia income tax purposes as husband and wife may mutually agree; provided, however, that exemptions for taxpayer and spouse together with exemptions for old age and blindness must be allocated respectively to the spouse to which they relate.

(3) Where allocations are permitted to be made under subparagraph (2) above pursuant to agreement between husband and wife, and husband and wife have failed to agree as to such allocations, such allocations shall be made between husband and wife in a manner corresponding to the treatment for federal income tax purposes of the items involved, under regulations prescribed by the Department of Taxation.

(f) Nonresidents. - (1) Nonresident individuals, partners and beneficiaries. - The Virginia taxable income of a nonresident individual, partner or beneficiary shall be an amount bearing the same proportion to his Virginia taxable income, computed as though he were a resident, as the net amount of his income, gain,

loss and deductions from Virginia sources bears to the net amount of his income, gain, loss and deductions from all sources.

(2) Certain nonresident shareholders. - For a nonresident individual who is a shareholder in an electing small business corporation, there shall be included in his Virginia taxable income his share of the taxable income of such corporation, and his share of any net operating loss of such corporation shall be deductible from his Virginia taxable income.

(g) Transitional modifications. - There shall be added or subtracted, as the case may be, the amounts provided in § 58-151.0111 as transitional modifications.

(h) Partner's modifications. - Virginia taxable income shall, as to partners, be adjusted to reflect the modifications provided in § 58-151.014.

HOUSE JOINT RESOLUTION NO.

To continue the Commission on the Needs of Elderly Virginians.

Whereas, the Commission on the Needs of Elderly Virginians was created in 1973 by the General Assembly to make specific recommendations as to areas of need affecting the elderly; and

Whereas, the Commission has conducted a study of these needs including holding six public hearings around the State which assisted it in identifying the numerous needs of the elderly; and

Whereas, the Commission has submitted two reports to the General Assembly setting out these needs and suggesting ways to assist the elderly in meeting them; and

Whereas, the Commission has identified more areas of need than it could reasonably find means to deal with among which were property tax relief and employment; now, therefore, be it

Resolved by the House of Delegates, the Senate concurring, That the Commission on the Needs of Elderly Virginians is hereby continued in existence and shall continue to study and make specific recommendations to the Governor and the General Assembly on areas of need affecting the elderly.

All agencies of the Commonwealth are directed to cooperate with the Commission upon request.

The fifteen members now serving on the Commission shall continue to serve as members of the Commission. If a vacancy should occur, the vacancy shall be filled in the same manner as the appointment of the original member. Members of the Commission shall receive compensation of thirty-five dollars per diem for each day or part thereof devoted to their duties as members of the Commission and, in addition, shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties for which, and for such secretarial, technical and other assistance as may be required, there is hereby appropriated the sum of fifteen thousand dollars from the contingent fund of the General Assembly.

The Commission shall file an interim report not later than December one, nineteen hundred seventy-five and shall conclude its study and file its final report by November one, nineteen hundred seventy-six.

