

**REPORT OF THE  
SECRETARY OF HEALTH AND HUMAN RESOURCES ON**

**SPECIAL ADVOCATES FOR  
THE ELDERLY (SAFE):  
VOLUNTEERISM IN AGING**

**TO THE GOVERNOR AND  
THE GENERAL ASSEMBLY OF VIRGINIA**



**HOUSE DOCUMENT NO. 41**

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
1995**



# COMMONWEALTH of VIRGINIA

Office of the Governor

George Allen  
Governor

Kay Coles James  
Secretary of Health and Human Resources

January 6, 1995

TO: The Honorable George Allen

and

The General Assembly of Virginia

This report contained herein is pursuant to House Joint Resolution 137, agreed to by the 1994 General Assembly.

This report constitutes the response of the Department for the Aging, with assistance from the Department of Criminal Justice Services, Court Appointed Special Advocate for the Elderly (SAFE) Program to the request to study the feasibility of volunteer advocates to assist senior citizens during times of crisis.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kay C. James", written over a horizontal line.

Kay Coles James  
Secretary of Health and Human Resources

**REPORT OF THE DEPARTMENT FOR THE AGING ON  
THE FEASIBILITY OF IMPLEMENTING A  
SPECIAL ADVOCATE FOR THE ELDERLY (SAFE) PROGRAM**

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**REPORT OF THE DEPARTMENT FOR THE AGING ON  
THE FEASIBILITY OF IMPLEMENTING A  
SPECIAL ADVOCATE FOR THE ELDERLY (SAFE) PROGRAM**

**EXECUTIVE SUMMARY**

House Joint Resolution No. 137, passed by the 1994 General Assembly, requested the Department for the Aging to study the feasibility of implementing a Special Advocate for the Elderly (SAFE) Program of volunteer advocates or coordinators to assist senior citizens during times of crisis. The study examined informal community volunteer initiatives and a formal advocacy program with legal standing for its volunteers' activities.

Older adults, both nationally and in Virginia, are the fastest growing segment of the population. There are more than 950,000 Virginians age 60 and older, representing almost 15% of the Commonwealth's total population. One of every three older Virginians is over age 74. This ever increasing segment of the population is also more likely to have functional limitations in their activities of daily living. Therefore, they often require some assistance to remain independent. In addition, more than 30,000 older Virginians reside in long-term care facilities. Some of these persons may not have access to family and friends. Many suffer from some type of memory impairment, including dementia.

A survey of Virginia's 25 Area Agencies on Aging indicates that there is a wide range of volunteer services available to older persons throughout the Commonwealth. Many of these services are focused on prevention and empowerment. They help older persons remain independent for as long as possible. There are fewer volunteer programs focused on serving persons in long-term care facilities.

This study examined the Court Appointed Special Advocate (CASA) Program as a means to enhance volunteer services to the elderly. It was concluded that CASA presents a potential model for using volunteers to assist the elderly in special circumstances requiring legal authority.

The study findings identified some of the critical elements and concepts of implementing a community-based volunteer advocacy program. Volunteers provide a vital resource for many human services and are essential in bolstering informal support networks of family, friends and churches. Volunteers play an important role in advocating for and helping empower persons in need of assistance. Resources for recruitment, training and supervision are needed to support a sustained volunteer initiative. Volunteers can provide an effective foundation for advocacy for older persons in the community and in long-term care facilities. Local resources currently exist to promote volunteer initiatives such as the proposed SAFE Program.

The study conclusions recognize the need for continued exploration of ways to use volunteers more effectively through initiatives utilizing available community resources such as churches and civic organizations. The conclusions also indicate the need to form linkages between formal and informal volunteer efforts to enhance volunteer management and promote recruitment, training and placement opportunities.

# LEGISLATIVE STUDY FEASIBILITY REPORT

## HOUSE JOINT RESOLUTION 137 - 1994 GENERAL ASSEMBLY

**PATRON: Delegate James O'Brien**

**Study Agency - Department for the Aging**

### I. STUDY REQUEST

The Virginia Department for the Aging was requested by House Joint Resolution 137 to study the feasibility of establishing a Special Advocate for the Elderly (SAFE) program of volunteer advocates or coordinators to assist older Virginians in times of crisis. (A copy of HJR 137 is included as Appendix A.)

### II. INTRODUCTION

Nationally and in Virginia, older adults are the fastest growing segment of the population. There are more than 950,000 Virginians age 60 and older, representing almost 15% of the Commonwealth's total population. One of every three older Virginians is over age 74. Between 1980 and 1990, the age 75 and over population increased by 41%. These persons are more likely to be limited in their activities of daily living and, therefore, more likely to need assistance in their homes or in long-term care facilities.

In 1990, 66% of Virginians age 65 and over lived in family households while 29% lived alone or with non-relatives. More than 30,000 older Virginians reside in licensed long-term care facilities such as nursing homes and adult care residences. An undetermined number are cared for in private homes. According to an American Association of Retired Persons (AARP) Public Policy Institute publication<sup>1</sup>, most older persons living alone have at least one living adult child. Approximately 70% of them have an adult child residing within an hour's driving distance. In addition, about 80% of older persons who lived alone reported that they had contact with one of their children at least weekly.

The focus of this report is the capacity and availability of volunteer assistance and advocacy for older persons in times of crisis and risk to their independence, including persons living in long-term care facilities. These persons are among the most frail and vulnerable sector of the older population. In some circumstances, they may not have access to family or friends. In addition, it is estimated that more than 60% of nursing home residents suffer from some type

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<sup>1</sup>Old and Alone in Rural America. 1993. American Association of Retired Persons Public Policy Institute. LR5050 (693) D15093.

of disorientation or memory impairment, including dementia<sup>2</sup>. These statistics indicate the importance of advocacy services on behalf of those persons who cannot speak for themselves or who are not able to protect their own rights.

Through the state's Area Agencies on Aging (AAAs) and other human service organizations, various services are often provided to older persons by volunteers. While there are a variety of programs statewide which utilize volunteers to serve older persons, the need for additional volunteers is often cited. Through the commitment of volunteers, services are often available which otherwise would not be. This study provides an assessment of the availability of services provided by volunteers and examines the feasibility of establishing a Special Advocate for the Elderly (SAFE) Program which could expand volunteer efforts and the elderly's access to assistance in times of crisis.

### **III. AN ANALYSIS OF VOLUNTEERISM IN THE AGING NETWORK**

This section of the report provides information about community-based volunteer initiatives which do not require legal standing to assist elderly persons in times of crisis or risk to their independence.

Volunteers are a vital part of Virginia's aging services network. In 1990, more than 3,600 volunteers contributed over 608,000 hours of service helping older persons and their families. In an effort to determine the need for a volunteer advocate program for older persons, information was collected from the network of 25 Area Agencies on Aging (AAAs) about the current availability of volunteer assistance in each planning and service area (PSA) for older persons. (See Appendix B for a listing of the Area Agencies on Aging and their Planning and Service Areas.)

A Survey of Volunteer Caregiving Programs was sent to all the AAAs (see Appendix C for a copy). In addition, information about volunteer services provided by the 25 AAAs was taken from their 1993-1995 Area Plans (see Appendix D). Analysis of this information indicates that a wide range of volunteer services are available to older persons. Many of these volunteer services are focused on prevention and empowerment, helping older persons remain independent and in their own homes for as long as possible.

Fifteen of the 25 AAAs responded to the Survey on Volunteer Caregiving Programs. The responses indicated the majority of volunteer programs involve support services such as transportation, respite, checking (telephone reassurance), and visiting, whereas some areas have advocacy oriented volunteer initiatives available. These volunteer advocacy programs include

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<sup>2</sup>Long-Term Care Ombudsman Desk Reference. May 1994. The National Long-Term Care Ombudsman Resource Center of the National Citizens' Coalition for Nursing Home Reform.

volunteer guardianship, Ombudsman and representative payee services. The results of the Volunteer Caregiving Programs Survey are included as Appendix E.

The Volunteer Protection Act, introduced in the 1994 General Assembly as House Bill 1158, was intended to encourage volunteerism by limiting the liability of charitable organizations and volunteers. (A copy of House Bill 1158 is included as Appendix F.) While HB 1158 did not pass the 1994 General Assembly, there remains legislative interest in protection for volunteers who perform vital activities for their communities in a good faith manner.

Many volunteer based services, such as the Virginia Insurance Counseling and Advocacy Project (VICAP) use volunteers to help meet their missions. VICAP, which is part of the Department for the Aging's Elder Rights/Ombudsman Services initiative, uses more than 200 specially trained volunteers statewide to provide older persons with assistance related to understanding and obtaining private insurance and public benefits. One Area Agency on Aging operates a Volunteer Representative Payee Program for those seniors who need assistance with managing their finances, especially their Social Security benefits. Other volunteer programs provide assistance with transportation, minor home repair/weatherization, checking services (prearranged telephone contacts), visiting, house cleaning, and meal preparation. The results of the Survey on Volunteer Caregiving indicate that there are several volunteer based services to assist older persons in their homes and communities to remain active and independent. There are fewer volunteer programs focused on serving persons in long-term care facilities. However, the need for such programs and services as well as persons to volunteer their efforts exists in many areas of the Commonwealth.

There is an informal network of churches, civic organizations and other community groups which coordinate various types of volunteer service initiatives. These outreach and service programs have no formal legal standing. However, they are vital community resources which supplement many formal, agency based human service programs.

Volunteer Centers located regionally throughout the Commonwealth can provide volunteer management training and technical assistance with recruitment, training and supervision to community volunteer groups. Volunteer Centers also provide a linkage to existing resources and programs in the community which can provide specialized skills training and placement opportunities.

#### **IV. MODEL VOLUNTEER ADVOCACY PROGRAM**

This section of the report examines the Court Appointed Special Advocate Program (CASA) as a model volunteer program which provides legal standing to its volunteers. CASA volunteers assist in judicial proceedings involving allegations of child abuse or in situations where a child is in need of an advocate to represent his or her best interests.

**The Court Appointed Special Advocate Program (CASA).** The CASA Program exists to provide minors with advocacy assistance in legal and judicial processes where allegations of abuse and/or neglect are at issue. The decision-making capacity of the child may not allow him or her to make an informed decision which is in his or her best interest. To prevent a child from being inappropriately placed in a potentially abusive situation, a court appointed volunteer can make the decision for the child. Volunteer CASA Programs are operated under the administration of the Criminal Justice Services Board.

Federal and state law requires the appointment of a CASA representative in domestic circumstances where a child has been abused or neglected. CASA workers are trained community volunteers who speak for the best interest of the child who is brought before the court. They do not provide legal representation but provide important background information that helps attorneys present their cases to the benefit of the child. CASA volunteers are appointed by a juvenile or domestic court judge and have legal authority to investigate family and social interactions and make observations concerning the child's environment. CASA volunteers promote interdisciplinary coordination and cooperation, whenever possible, in an effort to develop a plan of action in conjunction with other local agencies and professionals. The volunteer makes recommendations to the court to help improve conditions for the child, works cooperatively with the guardian ad litem, and continues to monitor the child's case through the court system until appropriate placement or resolution is achieved.

Training is provided to CASA volunteers by the local program to orient them to their roles and to help them in the performing of their responsibilities. Initial training is approximately 25 hours in duration and includes program philosophy, importance of confidentiality, principles of advocacy, dynamics of cultural diversity, communication skills, and an overview of the juvenile court process.

CASA Programs operate under a grant from the Virginia Law Foundation. During FY 1993, the CASA Program served more than 1,000 children with the help of more than 500 volunteers. Currently there are 20 local CASA Programs in Virginia.

CASA provides a potential model which could be modified to assist older persons in special circumstances which may require legal standing for volunteers (e.g., guardianships, representative payees, or powers of attorney). There is an increasing need for volunteers to assist older persons with financial management issues and provide protection from potential exploitation and consumer scams. Modification to the Code of Virginia may be required to further develop this type of volunteer initiative.

## V. FINDINGS

This study has identified some of the critical elements and concepts of implementing a volunteer based advocacy program. The findings point to the fact that volunteers provide a vital resource for many human services and are essential in bolstering informal support networks of



families, friends and churches, which people rely upon daily. The findings also show volunteers can play an important role in advocating for and helping empower citizens in need of assistance. Following are the study findings.

**The Family is Fundamental.** Many families continue to play active roles in assisting their older relatives. Many of the services and programs administered by the aging network are designed to help older persons maintain choices in living, promote independence and autonomy consistent with capacity, and assist families and caregivers to advocate for the needs of the older person. The majority of care and assistance to older persons is provided through informal networks of family, neighbors, friends, and churches.

**Empowerment is the Focus.** The goal of providing advocacy assistance to older persons and their families is ultimately to empower them to help themselves. A critical component of many advocacy services is to educate consumers about their rights and how to advocate on their own behalf when they have a problem or concern.

**Volunteers are Effective.** Volunteers have been used successfully to help educate and empower older persons through numerous services and programs available through the aging network and other human service agencies. A small investment of resources in operating a volunteer program can yield significant future dividends. Volunteer based efforts within the Elder Rights/Ombudsman initiative, including the Virginia Insurance Counseling and Advocacy Project (VICAP), use volunteers to more efficiently assist persons with questions and concerns about long-term care and aging related issues. This includes educating persons about their rights as consumers, helping persons understand supplemental health insurance products and public benefits, and assisting persons in resolving problems. Providing older persons with information about their rights and options allows them to make informed choices and to plan ahead for their retirement and health care needs. This can lead to less dependence on formal agency assistance at a later time.

**Volunteerism Requires Resources.** Operating a successful volunteer program requires an investment in time and resources to provide appropriate and adequate recruitment, training, supervision, and recognition of the volunteers. Local resources must be identified to provide the necessary volunteer management infrastructure. While small investments can yield large future dividends, the effort must be sustained. The need, mission and support must be clear to the volunteer. Successful volunteer efforts are not possible without an infrastructure of volunteer coordinators and support staff at the local level. The ultimate cost of not capitalizing on the availability of volunteers as advocates may be higher reliance on paid agency staff who are already stretched to maximum caseload capacities in many services.

## VI. CONCLUSIONS

Volunteers play a vital role in the aging network, helping older persons with a wide variety of activities and providing assistance to older persons with complex issues. Volunteers

can add to the effectiveness of the preventive and empowering aspects of the continuum of service intervention options currently available. This study reached the following two conclusions:

1. The Special Advocate for the Elderly (SAFE) Project is a concept which is feasible to develop and implement, given the appropriate resources and volunteer infrastructure. Currently, the network of churches, civic organizations and other community groups offers a viable, existing infrastructure through which to implement this type of volunteer initiative. In addition, training curriculums for volunteer program management are available and accessible to assist community groups develop and implement volunteer initiatives. Training to develop volunteers' technical skills (advocacy, communication, etc.) is also readily available. Linkages may be forged with local Volunteer Centers and other community programs in order to effectively develop these efforts.
2. The Court Appointed Special Advocate (CASA) Program represents an effective model of advocacy through a corps of trained volunteers with legal standing. CASA validates the potential feasibility of using trained volunteers to assist older persons in special legal circumstances such as guardianships, representative payees, and powers of attorney. Changes to the Code of Virginia could provide protection for volunteers from civil liability for good faith efforts and provide legal authority to assist older persons in these special situations.

## **APPENDICES**

**Appendix A. House Joint Resolution No. 137**

**Appendix B. List of Area Agencies on Aging**

**Appendix C. Survey on Volunteer Caregiving Programs**

**Appendix D. Volunteer Services Provided by Virginia's 25 Area Agencies on Aging - 1993**

**Appendix E. Results of Volunteer Caregiving Survey**

**Appendix F. House Bill No. 1158**

## 1994 SESSION

LD5548386

## HOUSE JOINT RESOLUTION NO. 137

Offered January 25, 1994

*Requesting the Department for the Aging to study the feasibility of establishing a Special Advocate for the Elderly (SAFE) Program of volunteer advocates or coordinators to assist senior citizens during times of crisis.*

Patrons—O'Brien, Albo, Connally, Dillard, Fisher, Keating, Marshall, McClure, Parrish and Sherwood; Senators: Barry, Bell and Calhoun

Referred to Committee on Rules

WHEREAS, older persons are expected to make up an increasingly larger segment of the U.S. population in the future; and

WHEREAS, although older persons accounted for nearly 13 percent of the population in 1989, persons aged 65 years and older are projected to increase to 23 percent of the population by the year 2040; and

WHEREAS, at the same time, persons 85 years of age and older are projected to make up 4 percent of the population by the year 2040, as compared to 1 percent in 1989; and

WHEREAS, as a result, our long-term care system faces an increasing demand for a wide range of supportive services from its older citizens; and

WHEREAS, budgetary limitations require that the provision of services be coupled with efficient allocation of money, personnel, and goods; and

WHEREAS, the most obvious gap in the United States' long-term care system is the limited funding for home and community services; and

WHEREAS, most older Americans must pay for these services or do without; and

WHEREAS, in many cases, older citizens could remain in their homes and live relatively independent lives with the provision of some basic services and assistance; and

WHEREAS, several states have developed volunteer programs where citizens help older persons with such things as balancing their checkbooks, paying bills, reminding them of appointments, grocery shopping, and other chores and responsibilities which most of us take for granted; and

WHEREAS, without these services, frail, older people with a high need for services are particularly vulnerable to unnecessary or premature institutionalization; and

WHEREAS, the term "least restrictive" alternative is a term which we hear applied to so many situations today and which should be applied to the care of the elderly as well; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the Department for the Aging is requested to study the feasibility of establishing a Special Advocate for the Elderly (SAFE) Program of volunteer advocates or coordinators to assist older Virginians in times of crisis.

The Department for the Aging shall provide staff support for the study. All agencies of the Commonwealth shall provide assistance to the Department, upon request.

The Department shall complete its work in time to submit its findings and recommendations to the Governor and the 1995 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for processing legislative documents.

**AREA AGENCIES ON AGING IN VIRGINIA**

<b><u>PLANNING &amp; SERVICE AREA</u></b>	<b><u>AGENCY NAME</u></b>	<b><u>JURISDICTIONS SERVED</u></b>
1	<b>MOUNTAIN EMPIRE OLDER CITIZENS, INC.</b> P.O. BOX 888 BIG STONE GAP, VA 24219 <i>MARILYN PACE MAXWELL, EXEC. DIRECTOR</i> PHONE: 703/523-4202	Counties of Lee, Wise, & Scott. City of Norton.
2	<b>APPALACHIAN AGENCY FOR SENIOR CITIZENS, INC.</b> BOX 765 CEDAR BLUFF, VA 24609 <i>DIANA WALLACE, EXEC. DIRECTOR</i> PHONE: 703/964-4915 or 963-0400	Counties of Dickenson, Buchanan, Tazewell, & Russell.
3	<b>DISTRICT THREE GOVERNMENTAL COOPERATIVE</b> 305 SOUTH PARK STREET MARION, VA 24354-2999 <i>MIKE GUY, EXEC. DIRECTOR</i> PHONE: 703/783-8158 or 1-800-541-0933	Counties of Washington, Smyth, Wythe, Bland, Grayson, & Carroll. Cities of Galax & Bristol.
4	<b>NEW RIVER VALLEY AGENCY ON AGING</b> 141 EAST MAIN STREET PULASKI, VA 24301 <i>DEBBIE PALMER, EXEC. DIRECTOR</i> PHONE: 703/980-7720 OR 639-9677	Counties of Giles, Floyd, Pulaski, & Montgomery. City of Radford.
5	<b>LOA - AREA AGENCY ON AGING, INC.</b> PO BOX 14205 ROANOKE, VA 24038 <i>SUSAN WILLIAMS, EXEC. DIRECTOR</i> PHONE: 703/345-0451	Counties of Roanoke, Craig, Botetourt, & Allegany. Cities of Salem, Roanoke, Clifton Forge, & Covington.
6	<b>VALLEY PROGRAM FOR AGING SERVICES, INC.</b> PO BOX 817 WAYNESBORO, VA 22980-0603 <i>ANN BENDER, EXEC. DIRECTOR</i> PHONE: 703/949-7141 or 1-800-868-8727	Counties of Fackingham, Rockbridge, Augusta, Highland, & Bath. Cities of Buena Vista, Lexington, Staunton, Waynesboro, & Harrisonburg.
7	<b>SHENANDOAH AREA AGENCY ON AGING, INC.</b> 15 NORTH ROYAL AVENUE FRONT ROYAL, VA 22630-2611 <i>CATHIE GALVIN, DIRECTOR</i> PHONE: 703/635-7141 or 1-800-883-4122	Counties of Page, Shenandoah, Warren, Clarke, & Frederick. City of Winchester.
8A	<b>ALEXANDRIA AGENCY ON AGING</b> 2525 MOUNT VERNON AVENUE - UNIT 5 ALEXANDRIA, VA 22301-1159 <i>ROBERT EIFFERT, DIRECTOR</i> PHONE: 703/838-0920	City of Alexandria.

- 8B **ARLINGTON AGENCY ON AGING**  
1801 NORTH GEORGE MASON DRIVE  
ARLINGTON, VA 22207-1999  
*TERRI LYNCH, DIRECTOR*  
PHONE: 703/358-5030  
County of Arlington.
- 8C **FAIRFAX AREA AGENCY ON AGING**  
12011 GOVERNMENT CENTER PARKWAY, SUITE 720  
FAIRFAX, VA 22035  
*CARLA PITTMAN, DIRECTOR*  
PHONE: 703/324-5411  
County of Fairfax.  
Cities of Fairfax & Falls  
Church.
- 8D **LOUDOUN COUNTY AREA AGENCY ON AGING**  
751 MILLER DRIVE, S.E., SUITE D2  
LEESBURG, VA 22075  
*ANNE EDWARDS, ADMINISTRATOR*  
PHONE: 703/777-0257  
County of Loudoun.
- 8E **PRINCE WILLIAM AREA AGENCY ON AGING**  
7987 ASHTON AVENUE, SUITE 231  
MANASSAS, VA 22110  
*LIN WAGENER, DIRECTOR*  
PHONE: 703/792-6400  
County of Prince William.  
Cities of Manassas &  
Manassas Park.
- 9 **RAPPAHANNOCK-RAPIDAN COMMUNITY SERVICES  
BOARD**  
401 SOUTH MAIN STREET  
CULPEPER, VA 22701  
*BRIAN D. DUNCAN, EXEC. DIRECTOR*  
PHONE: 703/825-3100  
Counties of Orange, Madison,  
Culpeper, Rappahannock, & Fauquier.
- 10 **JEFFERSON AREA BOARD FOR AGING**  
2300 COMMONWEALTH DRIVE, SUITE B1  
CHARLOTTESVILLE, VA 22901  
*GORDON WALKER, EXEC. DIRECTOR*  
PHONE: 804/978-3644  
Counties of Nelson, Albemarle,  
Louisa, Fluvanna, & Greene.  
City of Charlottesville.
- 11 **CENTRAL VIRGINIA AREA AGENCY ON AGING, INC.**  
3225 OLD FOREST ROAD  
LYNCHBURG, VA 24501  
*JO NELSON, EXEC. DIRECTOR*  
PHONE: 804/385-9070  
Counties of Bedford, Amherst,  
Campbell, & Appomatox,  
Cities of Bedford & Lynchburg.
- 12 **SOUTHERN AREA AGENCY ON AGING, INC.**  
433 COMMONWEALTH BLVD.  
MARTINSVILLE, VA 24112-4228  
*TERESA CARTER, EXEC. DIRECTOR*  
PHONE: 703/632-6442 or 1-800-468-4571  
Counties of Patrick, Henry,  
Franklin, & Pittsylvania.  
Cities of Martinsville &  
Danville.
- 13 **LAKE COUNTRY AREA AGENCY ON AGING**  
1105 WEST DANVILLE STREET  
SOUTH HILL, VA 23970-3501  
*GAY CURRIE, EXEC. DIRECTOR*  
PHONE: 804/447-7661 or 1-800-252-4464  
Counties of Halifax,  
Mecklenburg, & Brunswick.  
City of South Boston.

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| 14    | <b>PIEDMONT SENIOR RESOURCES AREA AGENCY ON AGING, INC.</b><br>PO BOX 398<br>BURKEVILLE, VA 23922-0398<br><i>RONALD DUNN, EXEC. DIRECTOR</i><br>PHONE: 804/767-5588  | Counties of Nottoway,<br>Prince Edward, Charlotte,<br>Lunenburg, Cumberland,<br>Buckingham, & Amelia.  |
| 15    | <b>CAPITAL AREA AGENCY ON AGING, INC.</b><br>24 EAST CARY STREET<br>RICHMOND, VA 23219-3796<br><i>MARY C. PAYNE, EXEC. DIRECTOR</i><br>PHONE: 804/343-3000 or 1-800-989-2286   | Counties of Goochland,<br>Powhatan, Henrico,<br>Chesterfield, Charles City,<br>Hanover, & New Kent.<br>City of Richmond.                         |
| 16    | <b>RAPPAHANNOCK AREA AGENCY ON AGING, INC</b><br>BOWMAN CENTER, 11915 MAIN STREET<br>FREDERICKSBURG, VA 22408<br><i>CAROL DAVIS, EXEC. DIRECTOR</i><br>PHONE: 703/371-3375   | Counties of Caroline,<br>Spotsylvania, Stafford,<br>& King George.<br>City of Fredericksburg.  |
| 17/18 | <b>NORTHERN NECK-MIDDLE PENINSULA AGENCY ON AGING, INC.</b><br>PO BOX 610<br>URBANNA, VA 23175<br><i>ALLYN GEMEREK, EXEC. DIRECTOR</i><br>PHONE: 804/758-2386  | Counties of Westmoreland,<br>Northumberland, Richmond,<br>Lancaster, Essex, Middlesex,<br>Matthews, King & Queen,<br>King William, & Gloucester. |
| 19    | <b>CRATER DISTRICT AREA AGENCY ON AGING</b><br>23 SEYLER DRIVE<br>PETERSBURG, VA 23805<br><i>DAVID SADOWSKI, EXEC. DIRECTOR</i><br>PHONE: 804/732-7020   | Counties of Dinwiddie, Sussex,<br>Greensville, Surry, & Prince<br>George. Cities of Peters-<br>burg, Hopewell, Emporia,<br>and Colonial Heights. |
| 20    | <b>SOUTHEASTERN VIRGINIA AREAWIDE MODEL PROGRAM, INC. (SEVAMP)</b><br>7 KOGER EXECUTIVE CENTER - SUITE 100<br>NORFOLK, VA 23502-4121<br><i>JOHN SKIRVEN, EXEC. DIRECTOR</i><br>PHONE: 804/461-9481                   | Counties of Southampton, &<br>Isle of Wight.<br>Cities of Franklin, Suffolk,<br>Portsmouth, Chesapeake,<br>Virginia Beach, & Norfolk.            |
| 21    | <b>PENINSULA AGENCY ON AGING, INC.</b><br>739 THIMBLE SHOALS BOULEVARD, EXECUTIVE CENTER<br>BUILDING 1000, SUITE 1006<br>NEWPORT NEWS, VA 23606-3562<br><i>WILLIAM MASSEY, EXEC. DIRECTOR</i><br>PHONE: 804/873-0541 | Counties of James City & York.<br>Cities of Williamsburg,<br>Newport News, Hampton &<br>Poquoson.  |
| 22    | <b>EASTERN SHORE AREA AGENCY ON AGING - COMMUNITY ACTION AGENCY, INC.</b><br>PO BOX 8<br>49 MARKET STREET<br>ONANCOCK, VA 23417<br><i>GEORGE V. PODELCO, EXEC. DIRECTOR</i><br>PHONE: 804/787-3532                   | Counties of Accomack &<br>Northampton.   |

### VOLUNTEER CAREGIVING PROGRAMS

Person Completing Form \_\_\_\_\_ SUA \_\_\_\_\_

Program Name and/or Sponsor \_\_\_\_\_

Contact \_\_\_\_\_ Phone \_\_\_\_\_

Area served \_\_\_\_\_

Services (Check)

Transportation \_\_\_ Minor Home Repair/Maint \_\_\_ Respite \_\_\_ Checking \_\_\_  
Meals Prep. \_\_\_ Visiting \_\_\_ Cleaning \_\_\_ Hospice \_\_\_ Other \_\_\_

Comments \_\_\_\_\_

Program Name and/or Sponsor \_\_\_\_\_

Contact \_\_\_\_\_ Phone \_\_\_\_\_

Area served \_\_\_\_\_

Services (Check)

Transportation \_\_\_ Minor Home Repair/Maint \_\_\_ Respite \_\_\_ Checking \_\_\_  
Meals Prep. \_\_\_ Visiting \_\_\_ Cleaning \_\_\_ Hospice \_\_\_ Other \_\_\_

Comments \_\_\_\_\_

Program Name and/or Sponsor \_\_\_\_\_

Contact \_\_\_\_\_ Phone \_\_\_\_\_

Area served \_\_\_\_\_

Services (Check)

Transportation \_\_\_ Minor Home Repair/Maint \_\_\_ Respite \_\_\_ Checking \_\_\_  
Meals Prep. \_\_\_ Visiting \_\_\_ Cleaning \_\_\_ Hospice \_\_\_ Other \_\_\_

Comments \_\_\_\_\_

Program Name and/or Sponsor \_\_\_\_\_

Contact \_\_\_\_\_ Phone \_\_\_\_\_

Area served \_\_\_\_\_

Services (Check)

Transportation \_\_\_ Minor Home Repair/Maint \_\_\_ Respite \_\_\_ Checking \_\_\_  
Meals Prep. \_\_\_ Visiting \_\_\_ Cleaning \_\_\_ Hospice \_\_\_ Other \_\_\_

Comments \_\_\_\_\_



VIRGINIA DEPARTMENT FOR THE AGING

VOLUNTEER SERVICES PROVIDED BY VIRGINIA'S 25 AREA AGENCIES ON AGING - 1993

Title III Services	1	2	3	4	5	6	7	8A	8B	8C	8D	8E	9	10	11	12	13	14	15	16	17/18	19	20	21	22
Volunteer Programs	X	X	X				X		X	X		X	X	X	X	X			X	X	X	X			
<b>Non-Title III Resources</b>																									
Foster Grandparent Program					X														X			X			
Retired Senior Volunteer Program	X		X	X	X		X				X		X	X								X		X	
Senior Companion Program																								X	
Tax Counseling for the Elderly					X										X								X		
Volunteer Representative Payee Guardianship Program																			X						

FOOTNOTE: BASED ON 1993-1995 AREA PLANS

## VOLUNTEER CAREGIVING PROGRAMS

## SURVEY RESULTS

Type of Service	Planning Service Area (PSA)**														
	01	02	03	04	07	8B	8C	8E	10	11	13	15	17/18	19	22
Transportation	X	X	X	X	X	X	X	X	X			X		X	
Home Repair		X	X	X	X	X	X	X	X			X		X	
Respite	X	X		X	X	X	X		X	X		X		X	
Checking	X	X	X		X	X	X	X	X		X	X		X	
Meal Preparation	X	X	X		X	X		X	X					X	
Visiting	X	X	X	X	X		X	X	X		X	X		X	
Cleaning	X	X		X			X		X			X		X	
Hospice	X		X		X	X			X		X		X		X
Other *		X	X		X		X	X	X	X				X	X

\* Other includes volunteer guardians, volunteer Ombudsmen, and a volunteer representative payee program.

\*\* See Appendix for a listing of the Area Agencies on Aging and their PSAs.

1994 SESSION

1 HOUSE BILL NO. 1158

2 Offered January 25, 1994

3 A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 8.01 an article  
4 numbered 20.1, consisting of sections numbered 8.01-217.1 through 8.01-217.5, relating  
5 to the Volunteer Immunity and Charitable Organization Liability Limitation Act.

6  
7 Patrons—Albo, Callahan, Dudley, Giesen, Howell, Marshall, McClure, Morgan, Plum, Purkey  
8 and Ruff; Senators: Calhoun, Stosch and Woods

9  
10 Referred to Committee for Courts of Justice

11  
12 Be it enacted by the General Assembly of Virginia:

13 1. That the Code of Virginia is amended by adding in Chapter 3 of Title 8.01 an article  
14 numbered 20.1, consisting of sections numbered 8.01-217.1 through 8.01-217.5 as follows:

15 Article 20.1.

16 Volunteer Immunity and Charitable  
17 Organization Liability Limitation Act.

18 § 8.01-217.1. Declaration of intent.

19 Charitable organizations within the Commonwealth perform essential and needed  
20 services. It is therefore the intent of the legislature to encourage the formation of  
21 charitable organizations, to promote charitable donations, to preserve the resources of  
22 charitable organizations and to encourage volunteer and charitable organizations by  
23 limiting the liability of charitable organizations and volunteers.

24 § 8.01-217.2. Definitions.

25 As used in this article:

26 "Charitable organization" means any organization exempt from federal income taxation  
27 by virtue of being described under § 501(c)(3) of the Internal Revenue Code.

28 "Good faith" means the honest, conscientious pursuit of activities and purposes that a  
29 charitable organization is organized and operated to provide.

30 "Government entity" means any county, city, town, school district, chartered unit or  
31 subdivision, governmental unit, other special district, similar entity, or any association,  
32 authority, board, commission, division, office, officer, task force or other agency of any  
33 state.

34 "Health care" means any act performed or furnished by a health care provider for, to,  
35 or on behalf of a patient pertaining to the diagnosis or treatment of any disease or  
36 disorder, mental or physical, or any physical handicap, deformity or injury.

37 "Health care provider" means any person, partnership, professional association,  
38 corporation, facility or institution licensed, certified or accredited by the Commonwealth to  
39 provide health care, including but not limited to a physician, licensed practical nurse,  
40 registered nurse, hospital, dentist, podiatrist, pharmacist, nursing home or any officer,  
41 employee or agent thereof acting in the course and scope of his employment.

42 "Volunteer" means any person, including a director, officer, trustee or direct service  
43 volunteer, who renders service for a charitable organization, nonprofit corporation, a  
44 hospital, or a government entity without compensation, other than reimbursement for  
45 actual expenses incurred.

46 § 8.01-217.3. Civil immunity for volunteers.

47 A. Except as provided in subsection B of this section and § 8.01-217.5, a volunteer who  
48 is serving a charitable organization in any capacity is immune from civil liability for any  
49 act or omission occurring on or after July 1, 1994, resulting in death, damage, or injury if  
50 the volunteer was acting in good faith and in the course and scope of his duties or  
51 functions within the organization.

52 B. A volunteer acting in good faith and in the course and scope of his duties or  
53 functions within the charitable organization is not liable to a person for death, damage, or  
54 injury to the person or his property proximately caused by an act or omission occurring

1 on or after July 1, 1994, arising from the operation or use of any motor-driven equipment.  
 2 including an airplane, except to the extent of any existing insurance coverage applicable  
 3 to the equipment and the act or omission.

4 § 8.01-217.4. Limitation on liability of charitable organizations.

5 Except as provided in § 8.01-217.5, in any verdict returned or judgment entered against  
 6 a charitable organization based on an act or omission by the organization or its  
 7 volunteers occurring on or after July 1, 1994, the total amount recoverable from the  
 8 charitable organization shall not exceed the lesser of (i) actual damages sustained or (ii)  
 9 \$300,000 for each person and one million dollars for each single occurrence of bodily  
 10 injury or death and \$100,000 for each single act of destruction of property and \$100,000  
 11 for any other injury.

12 § 8.01-217.5. Applicability.

13 A. This article shall not apply to (i) any act or omission by a volunteer or a charitable  
 14 organization that constitutes intentional wrongdoing, or that is willfully or wantonly  
 15 negligent or that is done with conscious indifference or reckless disregard for the safety or  
 16 others nor (ii) organizations or employees that are health care providers.

17 B. This article shall not limit or modify the duties or liabilities of a member of the  
 18 board of directors or an officer to the organization or its members and shareholders and  
 19 shall not affect the powers and duties of the Attorney General with regard to the  
 20 charitable organizations and their directors and officers.

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Official Use By Clerks	
<p style="text-align: center; margin: 0;"><b>Passed By</b></p> <p style="margin: 0;"><b>The House of Delegates</b></p> <p style="margin: 0;">without amendment <input type="checkbox"/></p> <p style="margin: 0;">with amendment <input type="checkbox"/></p> <p style="margin: 0;">substitute <input type="checkbox"/></p> <p style="margin: 0;">substitute w/amdt <input type="checkbox"/></p>	<p style="text-align: center; margin: 0;"><b>Passed By The Senate</b></p> <p style="margin: 0;">without amendment <input type="checkbox"/></p> <p style="margin: 0;">with amendment <input type="checkbox"/></p> <p style="margin: 0;">substitute <input type="checkbox"/></p> <p style="margin: 0;">substitute w/amdt <input type="checkbox"/></p>
Date: _____	Date: _____
Clerk of the House of Delegates	Clerk of the Senate