



Commonwealth Council on Aging
2023 Annual Report
with
2024 Legislative Recommendations

Commonwealth of Virginia
Richmond
September 27, 2023



Members:

Carla Hesseltine, Chair
Tresserlyn L. Kelly, Vice-Chair
Harvey Chambers, CSA, Secretary
David Broder
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September 27, 2023

Dear Governor Glenn Youngkin,
Members of the General Assembly, and
Members of the Public:

Pursuant to § 51.5-128 of the Code of Virginia, the Commonwealth Council on Aging (“Council”) submits its annual electronic report regarding the activities and recommendations of the Council.

The Council is charged with promoting an efficient, coordinated approach by state government to meet the needs of older Virginians. There are approximately 1.9 million adults in Virginia who are over 60 years old. In conducting a 2022 comprehensive needs assessment, the Department for Aging and Rehabilitative Services (DARS) led a representative sampling survey of older adults.

In reviewing the results, DARS found that 79% of the respondents rated their overall quality of life as excellent or good. In addition, most respondents scored their communities positively, and about 50% indicated that their communities valued older residents. Yet, 45% reported housing needs, 42% reported information access challenges, 30% reported financial challenges, and 24% reported transportation needs. In conducting in-depth focus groups, the Virginia Center on Aging found similar concerns and identified opportunities to begin to meet the needs through education and training as well as outreach and marketing.

In service to the Commonwealth and with specific attention to these identified needs, DARS undertook the development of a new State Plan for Aging Services (October 1, 2023 – September 30, 2027), which will guide Virginia’s efforts toward making Virginia a great place to age. DARS developed the new State Plan after a conducting a comprehensive needs assessment and with the involvement of the Council as well as Virginia’s 25 local Area Agencies on Aging, an array of public and private service providers, Virginia universities, advocates, and other state agencies. All together, these entities provide crucial support to older Virginians and their caregivers that ensure that they are safe, healthy, and engaged with their family and friends and in their communities. The Council commends DARS for their work and stands ready to support the implementation of the State Plan for Aging Services.



(continued)

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This year, the Council was also pleased to celebrate its 2023 Best Practices Awards winners. The Best Practices Awards honor model programs that improve the lives of older Virginians and support caregivers. This year’s winners highlight the extraordinary and innovative efforts local and regional programs are undertaking to support older adults. In addition to onsite recognition ceremonies, the Council partnered with DARS and the Virginia Association of Area Agencies on Aging (V4A) to showcase the winners via a live webinar (and recorded) on June 27, 2023.

For your consideration, the Council has also prepared its 2024 legislative recommendations. These include:

- Establish a Prescription Drug Affordability Review Board
- Require Guardian Training and Development of Training
- Enhance Assisted Living Affordability
- Incentivize State Contractors to Employ Older Virginians
- Increase Funding for Home and Community-Based Services Through Area Agencies on Aging
- Increase the Medicaid Home and Community-Based Waiver Personal Maintenance Allowance
- Expand Virtual Access to Public Meetings; Allow All-Virtual Public Meetings for Advisory Boards and Commissions
- Mandate Sick Leave for Direct Care Workers in Nursing Homes, Assisted Living, and Home and Community-Based Services
- Develop and Promote Financial and Regulatory Incentives for Nursing Home Redevelopment into Small Household Model
- Support Dementia Capable Training for First Responders
- Enhance Outreach and Supplement Benefits for SNAP Enrollment

More information about these legislative recommendations can be found in this report.

The Council looks forward to partnering with policymakers in advocating for older Virginians.

Sincerely,

Carla Hesseltine, Chair

COMMONWEALTH COUNCIL ON AGING 2023 BEST PRACTICES AWARDS

Established in 2006, the Best Practices Awards recognize and encourage the replication of model programs, particularly those that foster aging in place, livable communities and home and community-based services. Sponsored by Dominion Energy since 2012 and AARP Virginia for the first time this year, the Council encourages the development of these innovative programs.

FIRST PLACE (\$5,000): Mountain Empire Older Citizens (MEOC) for its METGo! Program

Launched in June 2021 by MEOC, METGo! has successfully implemented ride-hailing service in a rural area previously unserved by same-day transportation options. Becoming the “Uber” of public transit in southwestern Virginia, METGo! explores how ride-hailing technology improves service efficiency and rider experiences in rural areas. Initial funding for METGo! was provided through the Federal Transit Administration Integrated Mobility Innovation Demonstration Research Program Grant with oversight provided by the Virginia Department of Rail and Public Transportation (DRPT).

Riders in rural, remote areas have long faced the barrier of having to provide 24-hour notice when booking “demand-response” trips. This prevents rural residents from obtaining same-day service to meet daily needs for healthcare, food, services, socialization, shopping, education, and employment. METGo! addresses this challenge by providing real-time service to riders. Through the Via Mobility technology, METGo! makes it simple and easy for rural riders, such as older adults and individuals with disabilities, to schedule safe, reliable, on-demand transportation at their convenience. Each METGo! van accommodates seven ambulatory passengers and one passenger in a wheelchair. Using the Via Mobility smartphone app, riders in the service area can schedule a ride and track their van in real time.

In its first full year, METGo! provided 39% of MEOC trips within its 1,390-square-mile service area and completed over 40,000 trips for more than 8,000 unique riders. Over 26,000 of these trips were provided to older adults or individuals with disabilities. METGo! averages close to 200 rides per day. METGo! has been featured in local, state, and national news stories as a cost-effective, technology-based, life-changing model of microtransit in a rural setting.

To learn more about METGo! contact: Michael Wampler, Executive Director, Mountain Empire Older Citizens, Inc., PO Box 888, Big Stone Gap, VA 24219, Phone: 276-523-4202, Email: mwampler@meoc.org, and Website: www.meoc.org

SECOND PLACE AWARD (\$3,000): Joyful Voices Chorus

Joyful Voices Chorus is a community chorus for singers with Alzheimer’s or other dementias and their caregivers. At Joyful Voices, members sing together to stimulate the mind, energize the body, and elevate the spirit, defying dementia one song at a time.

Joyful Voices provides a true choral experience for the singers and caregivers in a unique, positive, and accepting setting. Music is powerful, and people with Alzheimer’s or other forms of dementia can enjoy and excel at singing even when unable to do other things.

The musical learning, teambuilding, movement, and weekly socialization together in rehearsals, provide an uplifting experience for all involved. Volunteer singers contribute an essential underlying carpet of sound which assists our singers in learning the repertoire. They deliver one-on-one assistance to participants when needed and contribute to the loving, welcoming atmosphere that participants enjoy. The culmination of these efforts is both spring and fall [concerts](#) each season.

COMMONWEALTH COUNCIL ON AGING 2023 BEST PRACTICES AWARDS

SECOND PLACE AWARD (\$3,000): Joyful Voices Chorus (continued).

In its five years of existence, Joyful Voices has touched more than 40 singers with Alzheimer's and other dementias and their caregivers. Extended family members of the singers have been strengthened by witnessing their loved ones performing in a concert with abject joy on their faces. Volunteers often share that the highlight of their week is the time spent singing, sharing, laughing, and dancing at Joyful Voices.

To learn more about Joyful Voices Chorus contact: Joanne Sherman, Artistic Director, 13621 W. Salisbury Rd., Midlothian, VA 23113, Phone: 804-794-5311 x 128, Email: joyfulvoicessherman@gmail.com, and Website: www.JoyfulVoicesChorus.org

THIRD PLACE AWARD (\$2,000): The Virginia Department for the Blind and Vision Impaired (DBVI) for its Live Active, Live Healthy, Live Modern Senior Retreat ("LIVE")

DBVI's LIVE Program is a one-week retreat for older adults experiencing vision loss affecting their ability to read, get around independently, take care of their home, and enjoy hobbies. Instruction and services are provided to participants in the areas of coping with vision loss, daily living skills, independent travel skills, access technology skills, diabetes education, nutritional consultation, and recreational/wellness activities.

As the only program of its kind for blind older adults (aged 55 and older) in the Commonwealth of Virginia, the LIVE Program is held each year for up to 14 participants, each with an accompanying plus one (for a maximum of 28 total attendees). The LIVE Program is held on the campus of the Virginia Rehabilitation Center for the Blind and Vision Impaired (VRCBVI) in Richmond, Virginia. At the conclusion of the program, DBVI sends an individualized program report to each participant's DBVI Rehabilitation Teacher. The report contains a summary of training classes and program activities the individual participated in and reports from instructors about the participant's accomplishments, strengths, challenges, and the instructors' recommendations in a variety of subject areas (Access Technology, Braille, Computer/Keyboarding, Orientation and Mobility (Cane Travel), and Personal and Home Management).

Beginning in 2023, the LIVE Program will be expanded to two-weeks to allow participants a longer immersive experience at VRCBVI. The LIVE Program fills up quickly and always has a waitlist due to high demand. Over the past five years, the LIVE Program has served over 90 older Virginians.

To learn more about the LIVE Program contact: Brooke H. Rogers, Assistant Director for Administration, Virginia Rehabilitation Center for the Blind and Vision Impaired/Virginia Department for the Blind & Vision Impaired, 401 Azalea Avenue, Richmond, VA 23227, Phone: 804-371-3323, Email: Brooke.Rogers@dbvi.virginia.gov, and Website: <https://www.vrcbvi.virginia.gov/>

The Council gave Honorable Mentions to the following organizations:

- **Ageing in Community (AiC) Leadership Team** (from the New River Valley)
- **Fairfax Area Agency on Aging** for its Fairfax Caregiver Alert Notifications Program
- **Piedmont Senior Resources Area Agency on Aging Inc.** for its Non-Emergency Medical Transportation

**COMMONWEALTH COUNCIL ON AGING
2023 BEST PRACTICES AWARDS**

Webinar: 2023 Best Practices Awards: Advancing Innovation in Aging Programs

The Council, DARS, the Virginia Association of Area Agencies on Aging (V4A), Dominion Energy, and AARP Virginia joined together to celebrate the Council's 2023 Best Practices Award Winners. Held on June 27, 2023 from 1:00 pm to 2:00 pm, the webinar highlighted this year's amazing winners. Webinar attendees learned more about these award-winning programs, how the programs can be replicated, and how programs can be nominated for the Council's 2024 Best Practices Awards.

Real-time captioning was provided.

To View the Recorded Webinar, please visit: https://www.youtube.com/watch?v=bmVMc1_fBws&t=56s.

For More Information on the Council, the 2023 Best Practices Award Winning Programs, and the 2023 Honorable Mention Programs, please visit: <https://vda.virginia.gov/boardsandcouncils.htm>.

COMMONWEALTH COUNCIL ON AGING 2024 LEGISLATIVE RECOMMENDATIONS

1. Establish a Prescription Drug Affordability Review Board

Background: ¹ In 2021, 24% of Virginians stopped taking medications as prescribed due to cost. From 2021 to 2022, drug companies increased the prices of more than 1,200 drugs above the rate of inflation, with an average increase of over 31%. AARP Virginia supports the creation of a Prescription Drug Affordability Board (PDAB) with the authority to set upper payment limits on certain high-cost prescription drugs. The measure, which passed the Senate with bipartisan support in 2023, would:

- Save taxpayers money by reducing state spending on prescription drugs,
- Help ensure access to life-saving medicine for illnesses like cancer and diabetes, and
- Prevent harmful price-gouging practices by the big drug manufacturers.

In 2023, the Senate passed SB 957 to create a Prescription Drug Affordability Review Board, along with a Prescription Drug Affordability Fund to be used for funding the operations of the Board and reimbursing state agencies for implementing the bill's provisions.² The Senate also approved a budget allocation of \$300,000 with five positions, but the legislation was not passed by the House.

This is a legislative item with budget implications. It is also a 2024 priority for AARP Virginia.

¹ AARP Virginia: 2023-24 Legislative Priorities

² Department of Planning and Budget, 2023 Fiscal Impact Statement for SB 957, <https://lis.virginia.gov/cgi-bin/legp604.exe?231+oth+SB957FE122+PDF>

COMMONWEALTH COUNCIL ON AGING
2024 LEGISLATIVE RECOMMENDATIONS (continued)

2. Require Guardian Training and Development of Training

Background: Guardianship is a legal process in which a court-appointed individual or entity makes decisions and supervises the affairs of an adult whom the court has found to be incapacitated. In conservatorship, a court-appointed person or entity manages financial affairs of an incapacitated adult. The guardian/conservator is responsible for the health, well-being, and/or money and property of someone else; and is a fiduciary with a high duty of trust and confidentiality.

In 2021, the Virginia Joint Legislative Audit and Review Commission (JLARC) completed a comprehensive report on the state's guardianship and conservatorship system.³ The JLARC report found that approximately 12,000 adults in Virginia are under guardianship.⁴ Just over 1,000 of these are under the state's Public Guardian and Conservator Program, and the rest are under the authority of private guardians – often family members, and sometimes professionals such as attorneys.

While public guardians receive ongoing training, private guardians in Virginia are not required to undergo training and no statewide training is available for them. JLARC emphasized that training would help private guardians to better understand their responsibilities and duties. A growing number of states are providing and/or requiring guardian/conservator training.⁵

The JLARC report urges that the Code of Virginia require any individual named as a private guardian – as well as staff who perform duties on their behalf – to take training within four months of appointment, and the report recommends that the Virginia Department for Aging and Rehabilitative Services (DARS) develop such training.⁶

In 2023, SB 1140, which would have required guardian training and the development of such training by DARS, had an accompanying budget request of \$250,000 for staffing and implementation costs,⁷ and there was a similar budget request in the House for \$271,295 for guardian training,⁸ but neither were adopted.

This is a legislative recommendation with budget implications. It is also a 2024 priority for the Northern Virginia Aging Network (NVAN) and the Virginia Public Guardian and Conservator Advisory Board.

³ JLARC. (2021). *Improving Virginia's Adult Guardian and Conservator System*, <http://jlarc.virginia.gov/landing-2021-virginias-adult-guardian-and-conservator-system.asp>.

⁴ Many guardians also serve as conservators, but the number of separate conservators is not tracked. While the Public Guardian and Conservator Program provides both, most conservators are private. Consultation with JLARC, August 2022.

⁵ See, for example, Maryland Guardian Training, <https://www.mdcourts.gov/family/guardianship/guardianofdisabledpersontrainingprogram>.

⁶ JLARC recommended that DARS develop the training with assistance from the Supreme Court Office of the Executive Secretary, as well as Virginia WINGS (Working Interdisciplinary Network of Guardianship Stakeholders).

⁷ Budget Amendment 331 #3s, <https://budget.lis.virginia.gov/amendment/2023/1/SB800/Introduced/MR/331/3s/>

⁸ Budget Amendment 331 #5h, <https://budget.lis.virginia.gov/amendment/2023/1/HB1400/Introduced/MR/331/5h/>

COMMONWEALTH COUNCIL ON AGING
2024 LEGISLATIVE RECOMMENDATIONS (continued)

3. Enhance Assisted Living Affordability

Background: An Auxiliary Grant is a supplement to income, available from local departments of social services (LDSS), for recipients of Supplemental Security Income (SSI) and certain other aged, blind, or disabled individuals in assisted living, adult foster care, or other certified supportive housing.⁹

Funding for Auxiliary Grants is limited, especially compared to the growing need for affordable assisted living care.¹⁰ The Auxiliary Grant rate in 2023 is \$1682 per month¹¹, which is far too low to cover the cost of the services provided (a home, meals, medication management, and assistance with homemaking and personal care). The number of individuals receiving Auxiliary Grants has declined over the years because the number of participating providers has decreased due to the low rate.

The Joint Commission on Health Care (JCHC) completed a 2022 study of *Affordability of Assisted Living Facilities*.¹² The study examined challenges in the Auxiliary Grant, and other avenues for funding affordable assisted living, including Medicaid, as occurs in a number of other states. Urgent action is needed to promote realistic options for Virginians who need assisted living care. The JCHC adopted a recommendation to increase the auxiliary grant rate to \$2,500 per month outside of Northern Virginia.¹³

In the 2023 General Assembly Session, the Senate approved a budget that included \$29,000,000 to increase the Auxiliary Grant rate to \$2,500 per month,¹⁴ while the House approved a budget that included \$3,679,645 to increase the Auxiliary Grant rate to \$1,832 per month.¹⁵ Both the House and Senate budgets included \$1,200,000 to increase the Auxiliary Grant personal needs allowance for residents from \$82 to \$115 per month.¹⁶ Ultimately, the 2023 General Assembly's proposed budget as approved in September 2023 would raise the rate to \$2,055 per month (and \$2,363 in Northern Virginia). The September 2023 budget did not include a raise in the personal needs allowance.¹⁷

This is a budget request. It is also a 2024 priority for NVAN.

⁹ <https://vadars.org/aps/AuxGrants.htm>

¹⁰ Joint Commission on Health Care, *Study Resolution on Affordability of Assisted Living Facilities* (December 2021), <https://jchc.virginia.gov/Affordability%20of%20ALFs%20-%20Study%20Resolution-2.pdf>

¹¹ The rate is higher in Northern Virginia, due to the higher cost of living.

¹² Virginia Joint Commission on Health Care, *Affordability of Assisted Living Facilities*, Report Document #643 (2022), <http://jchc.virginia.gov/Affordability%20of%20Assisted%20Living%20Facilities%20report.pdf>

¹³ Virginia Association of Counties, "Joint Commission on Health Care Adopts Recommendations from 2022 Studies (December 13, 2022), <https://www.vaco.org/county-connections/joint-commission-on-health-care-adopts-recommendations-from-2022-studies/>

¹⁴ Senate Budget Amendment 344 #1s, [https://budget.lis.virginia.gov/amendment/2023/1/SB800/Introduced/FA/344/1s/;](https://budget.lis.virginia.gov/amendment/2023/1/SB800/Introduced/FA/344/1s/)

¹⁵ House Budget Amendment 344 #2h, <https://budget.lis.virginia.gov/amendment/2023/1/HB1400/Introduced/FA/344/2h/>

¹⁶ Senate Budget Amendment 344 #2s, <https://budget.lis.virginia.gov/amendment/2023/1/SB800/Introduced/FA/344/2s/>
House Budget Amendment 344 #1h, <https://budget.lis.virginia.gov/amendment/2023/1/HB1400/Introduced/FA/344/1h/>

¹⁷ Senate Finance and Appropriations Committee, Overview of SB 6001 / HB 6001, September 6, 2023, https://sfac.virginia.gov/pdf/committee_meeting_presentations/2023/Sept%206%20Special%20Session%201/09062023_Overview_of_SB6001_HB6001_Staff_Briefing.pdf

COMMONWEALTH COUNCIL ON AGING
2024 LEGISLATIVE RECOMMENDATIONS (continued)

4. Incentivize State Contractors to Employ Older Virginians

Background: Many older Virginians seek and desire part-time employment, but they can face extraordinary barriers to participation in the workforce, including outdated and unfounded assumptions about ability and age. Today’s older workers are more diverse, more educated and live longer than generations past. Despite these changes, unfounded assumptions about an individual’s abilities based on age persist. A 2018 AARP study found that 6 out of 10 older workers have seen or experienced age discrimination in the workplace and 90 percent of those say it is common¹⁸, while a recent American Society on Aging article highlighted the untapped potential of older workers in direct care.¹⁹

Virginia can be the economic engine of change in bringing about workplaces that seek, rather than avoid, older workers. It can incentivize its contractors, where appropriate, to participate in senior employment programs. Virginia cannot afford to lose the wisdom, productivity and insights of the generations that have gone before us. This proposal is budget neutral and gives older Virginians the opportunity to succeed at any age in the workplace.

Essentially, when issuing invitations to bid, public bodies may already include a contractor’s participation in apprenticeship training programs in bid criteria. This proposal would also allow public bodies to include participation in senior employment programs in bid criteria. Specifically, Virginia Code Section 2.2-4301 concerning the bid criteria could include the participation by the bidder in programs “providing credible placement or training opportunities to the Senior Community Service Employment Program or other public or private employment program for a diverse population of Virginia residents aged 55 or older.”

This is a legislative proposal.

¹⁸ Perron, R., *The Value of Experience: AARP Multicultural Work and Jobs Study*, AARP Research (July 2018), <https://doi.org/10.26419/res.00177.000>

¹⁹ Espinoza, R. and Hodges, J. (May 16, 2023). *The Untapped Potential of Older Adults in Direct Care Work*. Accessed on June 22, 2023, from: <https://generations.asaging.org/potential-older-adults-direct-care-work>.

COMMONWEALTH COUNCIL ON AGING
2024 LEGISLATIVE RECOMMENDATIONS (continued)

5. Increase Funding for Home and Community-Based Services Through Area Agencies on Aging

Background: The 25 Area Agencies on Aging (AAAs) in Virginia have been designated by the Commonwealth to provide services funded through the Older Americans Act (OAA) as well as state funding to help adults aged 60 and older to live safely and independently in their communities. AAAs provide services such as: information and assistance; home-delivered and congregate nutrition; homemaker and personal care; transportation; legal assistance; caregiver support; respite service; money management; Medicare counseling; hospital-to-community transition services; and a long-term care ombudsman program. As directed by the OAA, AAAs develop partnerships and foster coordinated and comprehensive systems of services. For example, some AAAs work closely with senior Villages, neighborhood-based nonprofit membership organizations supported by volunteers.

Additionally, the Code of Virginia requires the AAAs to act as the Community Lead Agency for No Wrong Door/Aging and Disability Resource Centers. NWD serves as highly visible and trusted places where older individuals and people with disabilities can turn for comprehensive “communication, referral, information and assistance” about the full range of available public and private home and community-based options, transition services and resources.

The General Assembly should appropriate additional state funds to support AAAs in their provisions of home and community-based care, which helps older Virginians to age in place and avoid expensive institutional care.

This is a budget item. This is a Continuing Concern for NVAN.

COMMONWEALTH COUNCIL ON AGING
2024 LEGISLATIVE RECOMMENDATIONS (continued)

6. Increase the Medicaid Home and Community-Based Waiver Personal Maintenance Allowance

Background: Medicaid home and community-based care services (HCBS) waivers are designed to allow individuals who would otherwise qualify for nursing home or other institutional placement to remain in the community. The personal maintenance allowance (PMA) is the amount the HCBS waiver recipient is allowed to deduct from income to cover the basic expenses of community living – including housing and other costs such as utilities, home maintenance, food, clothing, drugs, technology, transportation, medical services not covered by Medicaid, and personal items.²⁰

In 2023, the Virginia Medicaid HCBS PMA monthly amount is \$1,509.²¹ This amount may limit access to the program. Many older people with disabilities are not able to cover their housing and other living expenses with that amount. As a result, many cannot use the HCBS waiver and are forced to enter a nursing home.

A 2022 Senate member budget amendment would have raised the amount from 165% of SSI to 200% of SSI, with an estimate of roughly \$4.4 million in General Funds and \$4.8 million in Non-General Funds.²²

This is a budget item.

²⁰ Department of Medical Assistance Services, *Virginia Medicaid Assistance Eligibility*, Chapter M14 (January 2023), <https://www.dmas.virginia.gov/media/5807/m14-4-1-2023.pdf>.

²¹ Department of Medical Assistance Services, Virginia Medical Assistance Eligibility Transmittal #DMAS-28 (draft): <https://www.dmas.virginia.gov/media/5896/tn-dmas-28-7-01-2023-draft.pdf>.

²² Senate Budget Amendment 304 #54s, <https://budget.lis.virginia.gov/amendment/2022/1/SB30/Introduced/MR/304/54s/>

COMMONWEALTH COUNCIL ON AGING
2024 LEGISLATIVE RECOMMENDATIONS (continued)

7. Expand Virtual Access to Public Meetings; Allow All-Virtual Public Meetings for Advisory Boards and Commissions

Background: Prior to legislative changes in 2022, the Virginia Freedom of Information Act (FOIA) required all public body meetings to be held in person, unless there is a declared emergency. The 2022 legislation allowed public bodies to hold some electronic meetings outside of a declared emergency, but it capped the number at two times per calendar year or 25% of the meetings held per calendar year, whichever is greater. The provisions exempted local governing bodies, planning commissions, school boards, and others with regulatory authority from having virtual meetings – but did not exempt local advisory boards and commissions, such as a local commission on aging or disability advisory board.

Electronic meetings enhance the effectiveness of open government laws by promoting transparency in government and enabling increased public participation. Allowing electronic meetings opens public participation to more older adults, people with disabilities, parents with childcare responsibilities and others who may find traveling to meetings difficult or whose schedules may not allow attendance at in-person meetings. Moreover, local advisory boards and commissions are not regulatory or policymaking bodies, and they take no actions for direct implementation by the state or local government.

This is a legislative item. It is also a 2024 priority for NVAN.

COMMONWEALTH COUNCIL ON AGING
2024 LEGISLATIVE RECOMMENDATIONS (continued)

8. Mandate Sick Leave for Direct Care Workers in Nursing Homes, Assisted Living, and Home and Community-Based Services

Background: Direct care workers in nursing homes, assisted living, and home-based settings are essential to the welfare of older adults and people with disabilities. They provide personal care and help with activities of daily living. Ensuring paid sick leave for these workers is a major public health issue. They often go to work when they are sick to continue to earn their meager incomes to support themselves and their families. (In Virginia, the average direct care worker salary was \$28,562 as of May 2023, but the range typically falls between \$26,559 and \$31,674.²³) Thus, they expose those in their care and others to grave illness. Some must work more than one job due to the low wages, carrying infection directly from one setting to another. A growing number of states now protect at least some direct care workers through broader paid sick leave employment policies that vary in their requirements, but Virginia offers no such option.

In 2023, SB 886, which would have required paid sick leave for health care providers and grocery store workers, passed the Senate but not the House.²⁴ The bill had a modest fiscal impact estimate for enforcement by the Department of Labor and Industry (roughly \$100,000), and a larger expenditure impact for the Department of Medical Assistance Services to cover the cost of sick leave for workers paid through Medicaid (roughly \$1 million in General Fund and \$1.1 million in Non-General Funds).²⁵

Through the Medicaid program, Virginia currently provides funding for five days of paid sick leave for consumer-directed home care workers only.²⁶ A 2022 Senate member budget amendment to expand coverage to agency-directed workers included roughly \$12 million in General Funds and \$12 million in Non-General Funds,²⁷ and a 2023 Senate member budget amendment to expand the number of paid sick leave days from five to ten for consumer-directed workers included roughly \$7 million in General Funds and \$8 million in Non-General Funds,²⁸ but these budget amendments did not pass.

This is a legislative request with budget implications. It is also a 2024 priority for NVAN.

²³ As reported via: <https://www.salary.com/research/salary/posting/direct-care-worker-salary/va>.

²⁴ <https://lis.virginia.gov/cgi-bin/legp604.exe?ses=231&typ=bil&val=sb886>

²⁵ SB 886, <https://lis.virginia.gov/cgi-bin/legp604.exe?ses=231&typ=bil&val=sb886><https://budget.lis.virginia.gov/amendment/2022/1/SB30/Introduced/MR/304/36s/>

²⁶ Consumer-directed workers make up a smaller portion of home care workers, most are agency-directed.

²⁷ Senate Budget Amendment 304 #36s, <https://budget.lis.virginia.gov/amendment/2022/1/SB30/Introduced/MR/304/36s/>

²⁸ Senate Budget Amendment 304 #35s, <https://budget.lis.virginia.gov/amendment/2023/1/SB800/Introduced/MR/304/35s/>

COMMONWEALTH COUNCIL ON AGING
2024 LEGISLATIVE RECOMMENDATIONS (continued)

9. Develop and Promote Financial and Regulatory Incentives for Nursing Home Redevelopment into Small Household Model

Background: As in other states, Virginia’s over 280 nursing homes are largely built on institutional design models adapted from hospitals, with shared rooms and bathrooms, long corridors, large rooms for activities and dining, and limited outdoor access. Along with a high staff turnover rate, which erodes individualized resident attention, this institutional model is perceived negatively by most older adults.²⁹

An alternative model features small home size and private rooms, as well as empowered, cross-trained staff, communal spaces for more interaction, and ready outdoor access. For example, data on the Green House Project homes, operating in 32 states shows that they experienced:

- Far fewer deaths during the pandemic,
- Substantially lower staff turnover rates with workers having greater satisfaction,
- Sustained occupancy rates,
- Better infection control, due in part to single rooms,
- Greater staff time per resident per day, and
- Greater resident satisfaction and well-being.³⁰

Green House data shows that the homes are financially viable. They “operate at median costs similar to the national median value for nursing homes.” While capital costs may be higher than traditionally designed nursing homes, these costs are countered by the financial benefits of more sustainable occupancy and better care.³¹

There is little incentive for redesigning facilities. The development of small homes requires federal and/or state incentives. State incentives could include “mortgage subsidies, capital assistance, income tax or real estate tax breaks, enhanced payment rates for services, waiver of certain regulatory requirements, or other devices.”³² The General Assembly should allocate funding for the incentive(s) that best meets Virginia’s needs. A study by the Joint Commission on Health Care would be a helpful preliminary step to examine what incentives other states have used, which would be best for Virginia; and how to combine state efforts with possible federal incentives.

This is a legislative proposal.

²⁹ John A. Hartford Foundation, “Age-Friendly Insights: Poll Reveals How Older Adults Feel About Nursing Homes (December 7, 2021), <https://www.johnahartford.org/dissemination-center/view/age-friendly-insights-how-do-older-adults-feel-about-nursing-homes>

³⁰ Sabatino, C., “Why Nursing Homes Need a Total Redesign,” *Health Affairs*, (April 23, 2023), 10.1377/FOREFRONT.20230329.308199; also see Jenkins, R. et al, “Financial Implications of the Green House Model, *Seniors Housing & Care Journal*, Vol 19, No 1 (2011), <https://icagroup.org/wp-content/uploads/2019/04/Financial-Implications-of-the-Green-House-Model.pdf>

³¹ Sabatino, C. *Health Affairs*

³² Sabatino, C. *Health Affairs*

COMMONWEALTH COUNCIL ON AGING
2024 LEGISLATIVE RECOMMENDATIONS (continued)

10. Support Dementia Capable Training for First Responders

Background: The Council supports efforts underway in communities in several areas across the Commonwealth to train first responders, including dispatchers, fire, police, emergency medical personnel and others in dementia capability. The Council also recognizes and applauds the inclusion of other dementias (non-Alzheimer’s disease dementia) into the required Virginia Department of Criminal Justice Services curriculum for police recruits in 2023. More needs to be done to ensure that these professions are dementia capable, having the knowledge and ability to effectively communicate and interact with people living with dementia, and knowing local resources that can be referral points. Often current training efforts are in the context of Dementia Friendly Community initiatives, and they utilize programs such as Dementia Friendly @ Work, Dementia Friends, Approaching Alzheimer’s: First Responder Training, and other sector-specific training modules. Sector-specific training can be supplemented with programs like Dementia Friends to provide these vital workers with the tools they need to confidently interact with this particularly vulnerable segment of the population.

The Council recommends including basic dementia capability as an element of initial training programs for these professions. The Council also recommends expanding the availability of these trainings to all areas of the Commonwealth, and it supports their inclusion as programs that satisfy the respective continuing education requirements of these professions, where applicable.

This is a legislative recommendation with budgetary implications. This proposal is also a priority for the Alzheimer’s Disease and Related Disorders Commission and the Alzheimer’s Association.

COMMONWEALTH COUNCIL ON AGING
2024 LEGISLATIVE RECOMMENDATIONS (continued)

11. Enhance Outreach and Supplement Benefits for SNAP Enrollment

Background: The Supplemental Nutrition Assistance Program (SNAP) is a federal program that provides nutrition benefits to low-income individuals and families to purchase groceries. The program is federally administered by the USDA Food and Nutrition Service (FNS), and in Virginia through the Department of Social Services (DSS).

In FY 2023, low-income eligible households can qualify for a minimum SNAP benefit of \$23 per month.³³ In Virginia, the average monthly benefit is \$181 per household per month.³⁴ Yet, while 78% of all eligible people in Virginia receive SNAP benefits, only 31% of eligible older Virginians do.³⁵ Compounding current food insecurity needs are increased food costs and the February 2023 sunset of increased SNAP allotments that were in place during the pandemic, which particularly benefited older individuals and individuals with disabilities.³⁶

While several of Virginia's 25 Area Agencies on Aging participate with the Department for Aging and Rehabilitative Services and DSS as SNAP outreach providers, additional outreach and increased benefits would encourage more eligible older Virginians to apply and help to address hunger, food insecurity, and malnutrition for these needy populations.³⁷

The adopted 2022 budget included an increased \$215,000 for SNAP outreach efforts, but more funding is needed to better reach the 69% of eligible older Virginians not currently enrolled in SNAP.³⁸ A 2023 Senate member budget amendment of roughly \$20.4 million in General Funds and \$1.1 million in Non-General Funds and a 2023 House member budget amendment of roughly \$20.4 million in General Funds would have provided a state-funded SNAP supplement benefit of \$25 per month for persons aged 60 and older, but neither were approved.³⁹

This is a budget request.

³³ The \$23 amount is for 48 states and the District of Columbia, with higher amounts for Alaska, Hawaii, Guam, and the Virgin Islands. Center on Budget and Policy Priorities, "A Quick Guide to SNAP Eligibility and Benefits," <https://www.cbpp.org/research/food-assistance/a-quick-guide-to-snap-eligibility-and-benefits#:~:text=Eligible%20households%20with%20one%20or,%2C%20and%20the%20Virgin%20Islands>).

³⁴ Center on Budget and Policy Priorities, SNAP State by State Fact Sheet, 2023. <https://www.cbpp.org/research/food-assistance/a-closer-look-at-who-benefits-from-snap-state-by-state-fact-sheets#Virginia>

³⁵ USDA FNS, "Virginia: Who Participates in SNAP?" Accessed via <https://fns-prod.azureedge.us/sites/default/files/resource-files/snap-state-factsheet-va.pdf> on July 25, 2023

³⁶ Moore, M., "It Hurts, Hurts Our Pockets: Richmond Residents Still Challenged by End of Emergency SNAP Benefits," *Richmond Times Dispatch* (June 9, 2023), <https://www.wric.com/news/local-news/richmond/it-hurts-hurts-our-pockets-richmond-residents-still-challenged-by-end-of-emergency-snap-benefits/>, and Virginia Poverty Law Center (April 24, 2023), <https://vplc.org/changes-to-snap-benefits/>.

³⁷ Virginia Draft State Plan for Aging Services 2023 – 2027, <https://vda.virginia.gov/stateplans.htm>

³⁸ http://publicreports.dpb.virginia.gov/rdPage.aspx?rdReport=BDocFinal_Agency&Biennium=2022-2024&BudgetRound=Initial&iptAgency=765&rdAgReset=True&rdLinkDataLayers=BDocFinal_Budget

³⁹ Senate Budget Item 346 #2s, <https://budget.lis.virginia.gov/amendment/2023/1/SB800/Introduced/MR/346/2s/>, House Budget Item 346 #2h, <https://budget.lis.virginia.gov/amendment/2023/1/HB1400/Introduced/MR/346/2h/>

COMMONWEALTH COUNCIL ON AGING 2023 MEETINGS, PRESENTATIONS, AND ACTIVITIES

During this reporting period, the Commonwealth Council on Aging met on: January 18, April 19, July 19, and September 27, 2023. Council meetings featured educational presentations and discussions on:

Joint Commission on Health Care: Affordability of Assisted Living Facilities	LeadingAge Virginia: Dreaming Home Project	Development of the 2023-2027 State Plan for Aging Services	Medicaid Unwinding and Eligibility Redeterminations
SB 1218 and Strengthening Aging Services	Virginia Villages Collective: The Village Model	Senior Community Service Employment Program	UVA Weldon Cooper Demographics Research Group: Aging Data Dashboard Demo
	No Wrong Door Social Health Connector Tool	Virginia Housing Accessibility Programs & Housing Resources	

On April 19, 2023, the Council held elections for officers for the upcoming two-year terms. The Council elected Carla Hesseltine as Chair, Tresserlyn Kelly as Vice-Chair, and confirmed Harvey Chambers as Secretary. Jo-Ann Chase and Roland Winston were confirmed as the At-Large Members joining the other officers on the Council's Executive Committee.

On July 19, 2023, the Council approved revised by-laws that conform to recent legislation. This includes Chapter 533 of the 2022 Acts of Assembly (SB 48, Favola), which requires the Council to submit an annual report to the Governor, General Assembly, and DARS by October 1, as well as Chapter 583 of the 2023 Acts of Assembly (SB 1218, Mason), which updates the Council's duties, restructures the Council's membership, and directs the DARS Commissioner to appoint an Executive Director for the Council.

This summer, as permitted in § 51.5-128 of the Code of Virginia, the Council approved a grant proposal to be submitted to the Virginia Center on Aging Geriatric Training and Education (GTE) Initiative. The General Assembly appropriates funding to the GTE Initiative for the purpose of developing the skills and capacities of the gerontological and geriatric workforce. The Council's GTE grant proposal aims to:

1. Create five visually-engaging micro-learning training and education videos for the Virginia geriatric and gerontological workforce to increase awareness of malnutrition and food insecurity, and the key programs and resources available to older Virginians.
2. Partner with organizations to disseminate and promote the videos among the Virginia geriatric and gerontological workforce, and older adults and caregivers.

If funded, the project would be implemented and completed by June 30, 2024.

Looking ahead, the Commonwealth Council on Aging will meet on January 17, April 17, July 17, and September 18, 2024.

COMMONWEALTH COUNCIL ON AGING MEMBERS

The purpose of the Commonwealth Council on Aging shall be to promote an efficient, coordinated approach by state government to meeting the needs of older Virginians. (Code of Virginia § 51.5-127)

Council Members	
Carla Hesseltine, 2 nd District, Chair Term ends 6/30/26	
Tresserlyn L. Kelly, 3 rd District, Vice-Chair Term ends 6/30/25	
David Broder, of Vienna Term ends 6/30/24	Diana Paguaga, 11 th District Term ends 6/30/24
Andrea Buck, MD, JD, 7 th District Term ends 6/30/26	Debbie Preston, MS, of Hanover Term ends 6/30/24
Harvey E. Chambers, CSA, of Glen Allen Term ends 6/30/24	J. Tina Savla, PhD, of Blacksburg Term ends 6/30/24
Jo-Ann Chase, 10 th District Term ends 6/30/26	Beverley A. Soble, of Richmond Term ends 6/30/24
Amy Duncan, 9 th District Term ends 6/30/25	Michael Wampler, of Big Stone Gap Term ends 6/30/24
Cleopatra Kitt, PhD, 6 th District Term ends 6/30/25	Paige H. Wilson, 4 th District Term ends 6/30/26
Joshua L. Myers, of Moseley Term ends 6/30/2026	Roland Winston, of Henrico Term ends 6/30/24
Ellen M. Nau, 1 st District Term ends 6/30/26	Erica Wood, Esq., 8 th District Term ends 6/30/24

Ex Officio Members
The Honorable John Littel Secretary of Health and Human Resources
Kathryn Hayfield, Commissioner Virginia Department for Aging and Rehabilitative Services
Tara Davis-Ragland Virginia Department of Social Services
Ron D. Boyd Representative, Virginia Association of Area Agencies on Aging
Courtney Richter, MSW Department of Medical Assistance Services

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