

California Commission on Aging

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GAVIN NEWSOM, Governor

Executive Director
KAROL SWARTZLANDER

GENERAL MEETING MINUTES

March 14-15, 2023

Hybrid Meeting: In-person (Sacramento) and Virtual (Zoom)

TUESDAY, MARCH 14, 2023

Part I: CCoA General Meeting

Hybrid meeting.

1. Welcome - Cheryl Brown, CCoA Chair

CCoA Chair, Cheryl Brown welcomed Commissioners, and guests.

2. Call to Order and Pledge of Allegiance

Chair Brown called the meeting to order at 1:06 pm.

Commissioner Schmeding led the Pledge of Allegiance.

3. Roll Call and Establish a Quorum

Commissioners Present (In-Person): Marcy Adelman, Cheryl Brown, Kim Carr, Erika Castile, Joe Cislowski, Brendalynn Goodall, David Lindeman, Debbie Meador, Ellen Schmeding

Commissioners Present (Virtually): Joaquin Anguera, Anni Chung, Meea Kang, Shelley Lyford, Sedalia Sanders, Dana Toppel, Rita Saenz

Commissioners Absent: Janet Frank, Faisal Qazi

Staff Present (In-Person): Marijke Melman, Patrick Smith, Karol Swartzlander, Marcella Villanueva

Staff Present (Virtually): Leza Coleman

Guests: none

A quorum was established.

4. Approve Agenda

M/S/C (Schmeding/Carr)

TO APPROVE THE MARCH 14-15, 2023, CCOA GENERAL MEETING AGENDA.

APPROVED

Abstentions: none

5. Approve the CCoA General Meeting Minutes from January 11, 2023.

M/S/C (Meador/Adelman)

TO APPROVE THE CCOA GENERAL MEETING MINUTES FROM JANUARY 11, 2023.

APPROVED

Abstentions: None

6. Public Comment

Teresa Comstock, Executive Director of the California Association of Local Behavioral Health Boards and Commissions, noted a California Coalition for Mental Health meeting would be held on March 29 at 10:00 a.m. Teresa wanted to draw CCoA's attention to AB 839 regarding residential care for the elderly financing.

7. Chair's Comments

Chair Brown extended condolences to Leza Coleman on behalf of the Commission. Brown is happy to see the Commission taking a stronger leadership and advocacy role and thanked Commissioner Schmeding for her service as Chair.

Commissioner Schmeding accepted an engraved gavel from CCoA to commemorate her time as Chair and thanked everyone.

8. Presentation: *AB 567 Feasibility Report Overview*

Dustin Plotkin, FSA, MAAA, ACIA, Principal, Oliver Wyman

Actuary Dustin Plotkin provided an overview of work accomplished pursuant to AB 567 (Calderon, Chapter 746, Statutes of 2019), which established the Long-Term Care (LTC) Insurance Task Force (Task Force) to explore the feasibility of a statewide LTC program, and the .

Background: AB 567 asked for a feasibility and actuarial study of potential statewide long term care insurance. A Task Force was assembled to examine what this might look like, composed of 15 members with a range of expertise in the older adult field including a health policy expert, LTC providers, family caregivers, health professionals, a senior/consumer organization, actuaries, the LTC insurance industry, an LTC workers organization, California government agencies (Department of Aging, Department of Health Care Services, and Department of Insurance). The mandate of the taskforce was to assess all options imaginable for designing a program and to examine the interaction of a potential program with all other existing programs and the demand for LTC workers . There was an emphasis on partnership between public and private insurance to find a collaborative solution.

Timeline: The Task Force first convened in 2021. The Feasibility Report was published in December 2022 and included five different potential designs for consideration. The price tag for each of the designs is currently being analyzed. The primary metric will be a payroll tax and they will determine a cost amount for each design. The Actuary Report is due in January 2024 and will be presented to the Legislature, Governor, and Insurance Commission for consideration. At that time, the actuary process will be complete, and it will be up to the Legislature to act.

Program Design Options:

1. **Supportive LTC benefits:** \$36K for ages 18+, most bare-bones option
2. **Home Care and Residential Care Facility (RCF) benefits:** high benefit of \$110K, only available to those older than age 65, does cover RCFs, limits duplication with Medi-Cal, targets middle-class individuals not covered by Medi-Cal
3. **Lower-range Comprehensive Long-Term Services and Supports (LTSS) benefits:** \$36K in benefits for ages 18+, covers more types of services, follows the model of the

Washington Cares Fund, only exclusion is it does not cover skilled nursing facilities, payroll tax of 0.4 to 0.6%

4. **Mid-range comprehensive LTSS benefit:** \$81K coverage for comprehensive coverage including skilled nursing.
5. **Higher-range comprehensive LTSS benefits:** \$144k coverage for comprehensive benefits

Three notable design features were discussed. Benefit portability allows individuals who paid for coverage in California to access coverage outside of the state. These include partial domestic portability, full domestic portability, and full international portability (included in design #5).

The program financing recommendation was a payroll tax as the most feasible option. A progressive tax rate is proposed, split between employees and employers, the self-employed taxed based on income, and contributions starting at age 18. Waivers would be included for low-income individuals. Most designs include a contribution limit more than the current Social Security cap. Scenarios are being considered to extend program coverage to current retirees.

For those who have private insurance, the private insurance would need to be exhausted first. A program opt-out will be available only if an individual is covered by private insurance at the time the state program becomes effective. Private insurance purchased after the program is launched would allow an individual to participate at a lower payment level in the program.

The program structure is a front-end benefit. Benefits are granted at the front end of the LTSS episode. Those not fully vested will still get a prorated amount of coverage. The program provides financial benefits to family caregivers that have received specified training. A constitutional amendment will be needed to allow investments of funds beyond US treasuries, bonds, and stocks. Benefits will “grade up” over the first 20 years to provide intergenerational equity. The state program would pay before Medi-cal.

Next steps include further financial analysis, assessing eligibility and enrollment, establishing six working groups to examine specific aspects of the program and financing research for alternative revenue sources for individuals who are already retirees.

- **Discussion**

Commissioner Schmeding requested the Commission to think about what action steps should be taken moving forward and suggested the Commission prepare for the release of the Actuarial Report.

- **Public Comment**

None

9. Executive Committee Report

Chair Brown provided the Executive Committee report.

A. Ratification of Recommendations from Legislative Advocacy Committee

The March 8 meeting recommendations approved by the Executive Committee will be reviewed later in the agenda.

B. Ratification of Recommendations from the Federal Advocacy Committee

The March 8 meeting recommendations approved by the Executive Committee will be reviewed later in the agenda.

C. How to Streamline Consideration of Bills

Patrick Smith explained a new system to streamline the approval process approved by the Legislative Advocacy Committee. Bills will be divided and sorted as Bills for Consent Agenda (to be approved in one batch), Bills for Consideration (marked for individual discussion before a vote), and a Precedent List (bills that we have taken a position on in previous legislative year). This system should allow us to cover more bills more quickly in meetings.

- **Discussion**

Commissioner Carr brought up a bill that she would like considered that is on the Bills for Consideration list: AB 1035 regarding mobile home park rental caps. Any Commissioner can bring up any bill to move it to Consideration and discuss at the next legislative meeting.

- **Public Comment**

None

10. CCoA Sponsored Bills Update

Commissioner Kang and Coleman reviewed CCoA-sponsored bills.

A. [AB 770 \(Kalra D\)](#) Employee Housing Act

Commissioner Kang reported that this bill would expand the capacity of small residential care facilities (RCF) throughout the state. Presently, certain zoning laws make it challenging to add seven or more beds. In addition to an expansion beyond the six-bed cap, AB 770 also allows RCF beds to count under the State Regional Housing Needs Assessment, providing the data needed on permanent housing. AB 770 has the potential to spur new operators to bring more facilities online and acknowledges group homes are permanent homes and long-term housing. The fact sheet for the bill should be ready on Wednesday and the bill is co-sponsored by the 6-Beds Association. The bill does not change any licensing requirements.

B. [AB 820 \(Reyes D\)](#) State Boards and Commissions: seniors

CCoA was approached by Assembly Member Reyes' staff to partner on AB 820. AB 820 would require the composition of various advisory groups and bodies to include a state agency official responsible for administering programs that serve, or state commission official that advocates on behalf of, older adults, as defined, or a representative from an organization that serves or advocates on behalf of older adults. Specifically, the bill identifies the following: California Health and Human Services Data Exchange Framework Stakeholder Advisory Committee

- California Workforce Development Board
- Department of Health Care Access and Information's Workforce Education and Training Council
- Mental Health Services Oversight and Accountability Commission
- Department of Health Care Services' Behavioral Health Planning Council
- Advisory Committee to the California Interagency Council on Homelessness
- Alzheimer's Disease and Related Disorders Advisory Committee

C. [SB 544 \(Laird D\)](#) Historical Property Contracts

SB 544 would amend the Bagley-Keene Act requirements and make flexibilities allowed during the Covid pandemic for virtual meetings permanent. SB 544 calls for virtual access to all meetings of advisory bodies and only one accessible physical address required open for public attendance. SB 544 will increase transparency and promote public participation in State government by expanding the pool of candidates interested in serving. Older adults and individuals with disabilities are no longer barred from attending meetings or participating in State government simply because they are physically limited from attending.

- **Discussion** Commissioners discussed the difference between the Brown Act, which governs local advisory boards and Bagley-Keane, which governs state-level, statewide boards and commissions.

- **Public Comment**

None

11. Legislative Committee Report (Commissioner Adelman)

Patrick Smith and Leza Coleman reviewed the bills.

A. CCoA Bill List Update

Commissioner Adelman reviewed bills considered by the Legislative Advocacy Committee on March 1.

- AB 21
- AB 318
- AB 385
- AB 518
- AB 524
- AB 786
- AB 839
- AB 845
- SB 37

SB 263
SB 271
SB 278
SB 302
SB 431

ALL RECOMMENDED TO SUPPORT; RATIFIED BY EXECUTIVE COMMITTEE ON MARCH 8.

B. Full Commission Ratification of March 14 Committee Recommendations

Patrick Smith reviewed recommendations from today's Legislative Advocacy Committee recommendations.

AB 222 – SUPPORT with recommendations
AB 423 – SUPPORT with recommendations
AB 426 – SUPPORT with recommendations
AB 488 – SUPPORT
AB 1241 – SUPPORT
AB 1309 – SUPPORT
AB 1313 – SUPPORT
AB1338 – SUPPORT
AB 1387 – SUPPORT
AB 1417 – SUPPORT
AB 1485 – SUPPORT
AB 1644 – SUPPORT
SB 17 – SUPPORT
SB 311 – SUPPORT
SB 742 – SUPPORT

Bills supported off of the consideration list are as follows:

AB 386 – SUPPORT
AB 470 – SUPPORT
AB 979 – SUPPORT
AB 1035 – SUPPORT
AB 1036 – SUPPORT
AB 1085 – SUPPORT (MOVED FROM WATCH TO SUPPORT)
AB 1117 – SUPPORT
AB 1334 – SUPPORT
AB 1437 – WATCH (MOVED FROM SUPPORT)
AB 1451 – SUPPORT WITH RECOMMENDATIONS
AB 1536 – SUPPORT
AB 1537 – SUPPORT
AB 1672 – WATCH
AB 1690 – WATCH
AB 48 – SUPPORT
AB 387 – SUPPORT
SB 630 – SUPPORT
SB 875 – OPPOSE

- **Discussion**
None
- **Public Comment**
None
- **Vote**

M/S/C (Sanders/Saenz)

TO RATIFY THE LEGISLATIVE ADVOCACY COMMITTEE’S MARCH 14, 2023 RECOMMENDATIONS.

APPROVED

Abstentions: None

12. Federal Advocacy Committee Report

Commissioner Castile provided the March 1 Federal Advocacy Committee meeting report.

A. US Senator Bob Casey S.100- Better Care Better Jobs Act

Action: Write a letter to US Senator Bob Casey with a letter of support.

B. Biden-Harris – Implementation of Section 6101(a) of the Affordable Care Act - US Department of Health and Human Services (DHHS) Proposed Rule to Increase Transparency of Skilled Nursing Facility Ownership

Action: Send letters to California’s congressional delegates.

C. US DHHS Report “Long-Term Trends of Psychotropic Drug Use in Nursing Homes” OEI-07-20-00500 11-14-2022

This report is about psychotropic drugs used in skilled nursing prior to the pandemic.

Action: Send letters to California congressional delegates regarding over utilization of medications to control patients.

D. Outreach to States with Master Plans for Aging (MPA) and Commissions on Aging

CCoA will seek to make connections with other states that have an MPA and Commissions on Aging to promote collaboration around CCoA federal priorities.

- **Discussion**
None
- **Public Comment**
None

RECOMMENDED ACTION ITEMS WERE RATIFIED BY EXECUTIVE COMMITTEE ON MARCH 8.

13. Master Plan for Aging (MPA) Stakeholder Advisory Committee and Workgroup

Reports

A. Elder and Disability Justice Coordinating Council

Commissioner Schmeding Reported Council support for increasing training opportunities for Adult Protective Services (APS) social workers and increased funding for local public conservator and public guardian programs. Schmeding noted that AB 1663 (CHAPTER 894, 2022) is focused on conservatorship reform.

Commissioner Schmeding recommended CCoA staff review the presentation from the February 14 meeting to learn more about supportive decision-making and how it may negatively impact older adults, especially those with mild cognitive impairment (MCI).

B. Disability and Aging Community Living Advisory Committee

Commissioner Castile reported a focus on how older adults can contribute to the workforce; the need to work with local providers to train and utilize older adult workers; and an increasing focus on the need for readily accessible and reliable transportation for older adults. Castile also noted importance of increased access to nutritional food, especially for older adults that have challenges by paying for and securing groceries. Swartzlander suggested CCoA should present to DACLAC on the older adult workforce in the future.

C. Equity in Aging Advisory Group (Commissioners Adelman and Brown)

No report provided.

D. Data Exchange Framework Stakeholder Advisory Group Meeting

Commissioner Lindeman

Commissioner Lindeman reported this workgroup wrapped up work past summer with new recommended data exchange guidelines to the state.

Lindeman reports his participation in a new advisory committee, California Aging Disability Research Partnership (CADRP), first convened in 2022, and comprised of experts in aging and disability research from leading academic institutions, state government, and philanthropy. Commissioner Lindeman chairs the Workforce Subcommittee, focused on: (1) Identifying major resources for the California Department of Aging, (2) Creating research partnerships across all universities (private, public), and (3) Developing metrics and trends for State data dashboards. CADRP is looking at new ways to initiate research and jump-start a study proposed by Commissioner Adelman.

E. Aging and Disability Resource Connection Advisory Committee

Swartzlander reported a forthcoming final ADRC SWOT analysis report is still pending release; C4A has submitted a budget request to fund ADRCs; and the Triple-A Council of California (AAA) will discuss barriers to establishing ARDCs at the next TACC meeting.

F. California 2030

Commissioner Saenz and Swartzlander both serve on the California 2030 Steering Committee (December 2022 - December 2023) that will define a future-ready California Aging Network with recommendations on how to move towards this future version of the network. The focus of the February 3 meeting was a deeper dive into the six focus areas: Programs and Services, Funding Sources and Capacities, Key Performance Measures (Process and Outcomes), Branding, Communications, and Outreach, Governance and Geographies and Demographics.

- **Discussion**

None

- **Public Comment**

None

14. Staff Report (Swartzlander)

A. Administrative Updates:

1. Travel Reimbursement Claims (TECs)

- Hard copy TECs will be utilized until 2024, when a new system goes online.
- All Commissioner were reminded to complete the TEC fully and ensure submission of clear copies of ALL receipts.

2. Board Management Tools

CCoA is in the process of purchasing a new board management tool. Swartzlander thanked Marijke Melman for her research and for assisting with a demonstration of the tool, Onboard.

B. Operational Plan Update – Proposed 2023 Action Step Priorities

Swartzlander reported that in 2023, Operational Plan and work plan activities will focus on the Commission's top three priorities: Housing, Workforce Development and Behavioral Health.

C. 2023 General Meeting Schedule

1. May 9-11, 2023 (Glendale)

In addition to a short General Meeting, CCoA will convene a Forum focused on Housing and Supportive Services.

2. September 11, 2023 (San Francisco)

The September General Meeting Agenda is already set thanks to Commissioner Adelman.

3. November 9, 2023 (Virtual)

D. Planning the 2024 Meeting Schedule

Marijke Melman will survey all Commissioner to establish the Commission's 2024 schedule in the next few months.

3:15 p.m.-3:30 p.m. BREAK

15. CCoA Communications Update

A. Elevating CCoA's Social Media Presence

Coleman shared Assembly Member Wood's social media post with her granddaughter.

B. Presentation: Review of CCoA Communications Plan and Tools

Melman shared that CCoA created a communications plan with the following strategies:

1. Staff identified key audiences for CCoA communications.
2. Identified website, publicity, sponsored meetings and events, partnerships, social media, AgeWatch, marketing, as forums for releasing communications.
3. Identified messaging needs to be refined to be effective.
4. Identified a timetable for messaging.

Commissioner Meador asked about Google Analytics. Melman reported tracking engagement on the CCoA website. Commissioner Adelman asked if there was a message about equity and inclusion. Commissioner Brown asked what a brand book is. Melman answered it was a guide to keep branding consistent. CCoA will monitor and evaluate results. Commissioner Cislowski noted Commissioners need a primer for social media. Commissioner Meador requested that legislative progress also be tracked and elevated on the CCoA website.

C. New Proposed CCoA Logo

Coleman and Melman presented the new proposed CCoA logo. Melman explained the need to raise visibility and provide consistent messaging in a logo. Melman presented four logo designs and requested, in the future, that Commissioners amplify CCoA posts and AgeWatch.

- **Discussion**

Commissioners held a lively discussion about which logo would best represent the Commission before voting to approve the new logo with a poppy.

- **Public Comment**

None

- **Vote**

M/S/C (Saenz/Brown)

TO ACCEPT THE PROPOSED LOGO AS PRESENTED.

APPROVED

Abstentions: None

16. Commissioner Comments

Commissioner Lindeman thanked the CCoA staff. Commissioner Brown suggested CCoA identify and celebrate people who turn 100 years old on social media.

17. Adjourn

Meeting adjourned at 5:15 pm

WEDNESDAY, MARCH 15, 2023

CCoA Legislative Breakfast

Commissioners attended the Legislative Breakfast from 9:00 a.m.-10:30 a.m. at the California Secretary of State, Multipurpose Room in Sacramento.

Legislative Visits 11:00 a.m. – 5:00 p.m.

Commissioners met with Legislators and Legislative Staff to discuss CCoA legislative proposals and policy priorities from 11:00 a.m.-5:00 p.m. at various offices in the Capitol Annex Swing Space in Sacramento.