

**Action Plan (Preliminary) for Educating Elder Justice Professionals About
Long Term Services and Supports (LTSS)
California Elder Justice Coalition
November 29, 2013**

On September 26, The California Elder Justice Coalition (CEJC) and the California Commission on Aging hosted a California Elder Justice Policy Summit in Sacramento: “From Practice to Policy: “Setting the Course for Elder Justice.” Delegates met in a facilitated plenary session and breakout workgroups to discuss six aspects of California’s response to elder justice:

- 1) Modernizing Adult Protective Services;*
- 2) Improving California’s Response to Elder Abuse in Institutional Settings;*
- 3) Mobilizing Caregivers to Prevent Abuse;*
- 4) Examining the Legal System’s Role;*
- 5) Elder Justice for All: Access and Parity; and*
- 6) Long Term Services and Supports.*

Delegates committed to ongoing action and formulated recommendations and committed to follow up actions.

The following preliminary action plan highlights recommended actions emerging from the summit’s plenary session titled “The Intersection of Elder Justice and Long-Term Services and Supports.” In the plenary presentation, Amber Cutler, staff attorney for the National Senior Citizens Law Center, described the revamping of California’s long term care system (renamed “long term services and supports, or LTSS) under the Affordable Care Act. The presentation was followed by a panel of responders who described the implications for older Californians, how the state’s elder justice system is being affected, and what advocates can do to learn more. Panelists included Ellen Schmeding, MS, MFT, Director, Aging & Independence Services/Public Administrator, Public Guardian, Public Conservator, Health & Human Services, San Diego County; Molly Davies, MSW, VP, Elder Abuse Prevention and Ombudsman Services, WISE & Healthy Aging and President, California Long-Term Care Ombudsman Association; Jack Hailey, Senior Project Director, Government Action and Communication Institute (GACI). Recommendations relating to LTSS that emerged from the summit’s breakout sessions have also been included in the following table.

Your participation and input during the “Elder Justice in the Age of Managed Care CEJC Webinar” will assure continued progress for elder justice in California’s long term care system. Thank you.

This webinar is supported by a grant from The SCAN Foundation, dedicated to creating a society in which seniors receive medical treatment and human services that are integrated in the setting most appropriate to their needs. For more information, please visit www.TheSCANFoundation.org.

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NEEDS:

Elder Justice (EJ) advocates and managed care providers need:

- To understand each other's programs, including their limitations.
- Protocols for working together closely in interventions for high-risk and difficult clients. Opportunities to work together in care planning (e.g. multidisciplinary teams; client/caregiver/family-centered care)

EJ justice advocates and providers need:

- Information to help them understand developments in Long Term Services and Supports (LTSS) and Coordinated Care Initiative (CCI) implementation
- Training to help them understand managed care plan operations

Certain EJ organizations have special needs:

- Adult Protective Services (APS) workers need information/training to help them determine who is responsible for overseeing care in the managed care environment and clarify jurisdiction
- Ombudsmen need:
 - To develop relationships with State Health Insurance Assistance and Counseling Programs (SHIPs and HICAPS), other healthcare ombudsmen, and HMO's.
 - Strategies to educate HMOs about protections for Medi-Cal residents
 - Information about what facilities are/will be part of CCI network and how they operate and coordinate 'resident-centered' care
 - Resources to provide information about the new providers and systems
- Legal Services Providers will need to:
 - Advocate on behalf of seniors & disabled for adequate LTSS (including In-Home Supportive Services (IHSS))

Managed care providers need information to help them understand:

- Mandatory abuse reporting, confidentiality (when information can be shared)
- "Resident centered care" in facilities
- Identifying and responding to abuse, neglect, and exploitation; high risk situations

State leadership to institute safeguards, including risk assessment tools screening procedures, training, interagency agreements, and resource inventories

ACTION PLAN:

EJ Advocates can accomplish the following at the local level by promoting the following objectives:

- Promote the development of training for EJ and Managed Care Organization (MCO) personnel
- Assist in developing local stakeholder and advisory groups
- Participate on local stakeholder and advisory groups (e.g. Local and Regional Coalitions)
- Cross-educate stakeholders about their organizations, eligibility, procedures, etc.
- Help develop outreach plans for clients and caregivers
- Help develop materials for clients and caregivers
- Develop webinars/training for staff so they understand the anticipated changes
- Connect with HICAP to learn their role in educating clients
- Leverage our network to get the word out
- Meet regularly with health plans to develop relationships
- Offer to train staff on elder/dependent adult abuse
- Invite managed care providers to meet
- Participate in webinars and trainings, encourage others to do so, and share information
- Stay informed using www.calduals.org and NSCLC resources
- Develop materials, webinars, training for staff to understand anticipated changes
- Encourage plans to provide ‘plan option services” (services above and beyond what they are required to offer), including home modification, home delivered meal, grab bars, that promote client safety and reduce vulnerability
- Encourage partners to strengthen or implement service coordination and anti-fraud plans
- Advocate for anti-fraud assurances
- Work hard to be a part of the success!

ACTION PLAN (Cont.)

EJ Advocates can accomplish the following at the state level:

- Offer assistance in developing universal assessment tools that include measures of risk
- Urge state entities that oversee LTSS to:
 - Develop uniform risk assessment tools (or incorporate risk measures into existing tools) that reflect understanding of vulnerability, decision-making capacity
 - Provide information and referral resources for reducing vulnerability, (e.g. via “safe” advance directives, mediation to address conflicts related to caregiving, etc.)
 - Clarify the steps that APS, Ombudsman, law enforcement, and others can take to heighten accountability by IHSS workers
 - Develop information systems to “red flag” abusers
 - Provide information to stakeholders on screening direct care providers
 - Evaluate and measure performance, including consumer-centered service delivery

Measures that plans can take:

- Implement procedures for screening LTSS consumers and providers that reflects current understanding of risk factors
- Develop protocols for reporting abuse that include provisions for data sharing & coordination
- Initiate or participate in partnerships and linkages with EJ agencies, including APS, Ombudsmen, multidisciplinary teams, forensics centers, HCBS providers
- Develop inventories of local elder justice resources
- Provide training to personnel
- Highlight and clarify consumer protections and rights in all communications, Memorandum of Understandings (MOUs), contracts, standards, and policies

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