

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, MS 10-90, Sacramento, California 95814



**California Department of Social Services  
Continuing Care Advisory Committee  
Meeting Minutes  
November 13, 2007**

The Continuing Care Advisory Committee (Committee) met at Eskaton Village, 3939 Walnut Avenue, Carmichael, California. The meeting convened at 9:30 a.m. Members present were: Tom Stringer, Charles Lamb, Marilyn Oliver, John Breaux, Mary Beth Tompane, Barbara Hood, and Jack Patton. Absent members were: Bernard Werth and John Sonneborn. Staff attending from the Continuing Care Contracts Branch (CCCB) were: John Rodriquez, Linda Smith, Annette Kite, Allison Nakatomi, Rea Osborne, and Bob Thompson from the Legal Division. Attending from the public were: Katherine Kirchoff, Barbara Krings, Betsy Donovan, Todd Murch, Marilyn Kennedy, Paul Beckman, Mort Swales, Anne Burns Johnson, and several residents of Eskaton Village.

**GENERAL ADMINISTRATIVE DUTIES**

Mr. Stringer called the meeting to order at 9:30 a.m. He welcomed everyone to the quarterly meeting and thanked staff from Eskaton Village for hosting the meeting. The first order of business was to establish meeting dates for 2008. The tentative dates proposed for next years meetings are: February 26, July 15, and November 18, 2008.

**Approval/Correction of February 13, 2007 Advisory Committee Minutes**

Mr. Stringer asked the Committee members if there were any additions, deletions, or corrections to the minutes. Mr. Stringer congratulated staff for an outstanding job on the minutes. He stated that he missed the last meeting, yet he felt he knew what happened at the meeting after reading the minutes. Kudos was expressed to Rea Osborne for composing the minutes. There were no changes made to the minutes of May 10, 2007 and they were approved as written.

**OLD BUSINESS**

**Meeting with Jo Frederick, Deputy Director, Community Care Licensing Division**

Mr. Stringer reported that a few months ago he attended a meeting in Sacramento with Jo Frederick, John Rodriquez, Anne Burns Johnson, Charlie Lamb, and Walt Rozett. The purpose of the meeting was to discuss the ever-expanding responsibilities of the CCCB staff and to rally for more staff. As a result of this meeting, there is going to be an all-day meeting scheduled to bring together a group of representatives including providers, residents, and other interested parties to strategize and present concerns to the Department's upper management. Discussion will focus on the future of the industry and recognizing the need to increase staffing levels for the CCCB. Mr. Rodriquez stated that the Branch is currently going through the Budget Change Proposal (BCP) process to increase staffing.

**Legislative Update**

Mr. Rodriquez stated that SB 489 is related to facility closure and AB 1022 deals with care without walls and the care at home initiative. Both bills are still being analyzed by the Department and there is no official position at this time.

## **Private Duty Aide Survey**

Anne Burns Johnson, Executive Director of Aging Services of California, discussed the Private Duty Aide Survey. Aging Services prepared the survey; it was reviewed by licensing and certification, the CCCB, and Aging Services' Subcommittee on Public Policy. The survey consists of 25 questions and is a good survey in terms of asking about the use of private duty aides in assisted living and in independent living, and making that distinction. The survey will be sent out to all CCRCs. The responses will be compiled by Hanson and Bridgett. Aging Services hopes to share the information with the Committee by the next meeting. Mr. Stringer thanked Ms. Burns Johnson for her presentation and stated that this item will be put on the agenda for the next meeting.

## **NEW BUSINESS**

### **Futures Freestanding Network Retreat**

Ms. Burns Johnson reported that Aging Services of California for the past three years has held a freestanding retreat that involves the senior management and trustees from freestanding communities, a small part of Aging Services' membership. This is an opportunity to meet with their boards and share issues that they have including recruitment, retention, occupancy, how they update their communities, etc. This year Maria Dwight of Gerontological Services Inc. spoke to the group about trends in CCRCs in California and the nation. Ms. Burns Johnson would encourage Ms. Dwight to come and speak at a future meeting.

### **Resident Focus Group**

Ms. Burns Johnson reported that John Endicott, who served previously on the CCAC, encouraged Aging Services of California to do a periodic assessment of elected resident council presidents. They did four focus groups with residents around the state and asked what their issues were, i.e., legislative issues, advocacy issues, etc. Of most interest to residents was how other communities organize their resident councils and how issues were handled if there were budgetary restraints. Ms. Burns Johnson stated that they are trying to expand their resident newsletter and they have changed their website to include resident's profiles. Also at the Public Policy Conference, a resident panel has been asked to look at new ideas and changes that are occurring in communities.

### **CCRC Trends**

Mary Munoz from Ziegler Capitol Markets-Senior Living Finance, gave a presentation on The Shape of Things to Come: Trends in Aging Services. Her presentation covered four sections:

- (1) Macro Influences on Senior Living
- (2) How Providers Are Responding
- (3) How the Capital Markets Are Responding
- (4) What Lies Ahead

Ms. Munoz's presentation was very detailed and very informative. (See attached handout). Mr. Stringer thanked Ms. Munoz for her excellent presentation.

### **Report of Status of Southern California Fires and Other Issues**

Charlie Lamb reported that during the wildfires in Southern California, Anne Burns Johnson was the focal point where each of the affected facilities called in daily. Many communities cooperated to assure residents were safe. Air Force Village West took in 16 skilled nursing patients from other communities during the wildfires.

Mr. Lamb reported that there is a smoking gun with the Internal Revenue Service (IRS). The IRS publicly announced that they are reviewing the tax treatment for not-for-profit charitable hospitals. The IRS is questioning whether these entities are, in essence, charitable facilities and if so whether they are providing charity to the right people to retain their 501c3 status.

Mr. Lamb reported that there has been a panel of not-for-profits that was formed after Enron, and it has been working directly with the US Senate Appropriations Committee to develop principals for good ethics. After three years of work, they have published "33 Principles Self Governing Recommended as a Guide". Aging Services of California agreed at its last meeting of the Board of Directors to make governance an issue, and will probably start using these 33 principals. This information is available at [www.independentsector.org](http://www.independentsector.org) or [www.nonprofitpanel.org](http://www.nonprofitpanel.org).

### **Update of Freedom Village and The Village**

Mr. Stringer reported that he was approached by a private development firm to acquire his two communities, Freedom Village and The Village. An application has been submitted to the Department and if it is approved, the transaction could occur as early as January. The company that is buying the two communities is changing its focus from residential building to senior development (instead of doing CCRCs, they will be doing senior condos, senior rentals, and a variety of different projects). He stated that he was confident in the company and its management company and that Freedom Village and the Village would continue to be very fine communities. Mr. Stringer also stated that it is likely he will not be involved with this Committee after the transaction is completed.

### **Transfer of Residents, Policy and Procedures**

Mary Beth Tompane stated that there has been a lot of discussion at some communities regarding transfer of residents. She attended a meeting at Classic Residence by Hyatt, La Jolla Village, where a presentation was made on a guide that was developed by two residents at the request of the resident council's health committee. The guide provides a reasonable plan for transfer of residents that helps both management and residents. The guide includes a plan that recognizes provider's liability and the resident's responsibility, yet preserves the resident's ability to continue living in their community. Ms. Tompane sought and received permission from the developers to share it with the Committee and get their reaction from it. The developers also indicated that they would be proud to have other communities adopt this plan.

### **Culture Change**

Bonnie Darwin from the Culture Change Coalition gave a presentation of the ABCs of Culture Change. The Culture Change network includes over 10,000 people and they have coalitions in 26 states. Culture Change is focused on skilled nursing and changing the stigma of nursing homes. Culture Change is not a rigid program or set of regulations and it is not about rewriting policies and procedures. Culture Change is a transformation; it is about rethinking how care is provided by asking residents what they want, and better meeting the needs of residents and staff through communication. The goal is to move from institutional to individualized care. Mr. Stringer thanked Ms. Darwin for her informative presentation.

## **NEW MATTERS UPON REQUEST BY PUBLIC ATTENDEES**

There were no new matters upon request by public attendees.

**CALIFORNIA DEPARTMENT OF SOCIAL SERVICES BRIEFING**

**Report on Status of Applications**

Ms. Nakatomi reported on the status of applications (attached).

**ADJOURNMENT**

There being no further business, the meeting was adjourned.