

BELLEVUE NETWORK ON AGING
REGULAR MEETING
MINUTES

July 1, 2010
8:00 a.m.

Bellevue City Hall
Room 1E -112

MEMBERS PRESENT: Lynne Robinson, Diana Thompson, Howard Katz, Eileen Rasnack, Bill Merriman, Jullie Gray, Bob Megargel, Hannah Kimball, Peg English, Richard Englund, Cindy Sharek, Beverly Heyden

MEMBERS ABSENT: Berta Seltzer, Heidi Ressler

STAFF PRESENT: Cathy VonWald, Alex O'Reilly, Terry Smith, Department of Parks and Community Services

OTHERS PRESENT: Rob McKenna, Washington State Attorney General; Kathy Iverson, Kirkland Senior Council, Penny Kahn, Kirkland Senior Council, Richard Allen, Kirkland Senior Council,

RECORDING SECRETARY: Gerry Lindsay

WELCOME AND ROLL CALL

The meeting was called to order at 8:04 a.m. by Chair Robinson who presided. All committee members were present with the exception of Heidi Ressler and Berta Seltzer. Bill Merriman, arrived at 8:07 a.m., Diana Thompson, arrived at 8:08 a.m., Cindy Sharek, arrived at 8:09 a.m., and Bob Megargel, arrived at 8:18 a.m.

APPROVAL OF MINUTES

A. June 3, 2010

Motion to approve the minutes as submitted was made by Ms. Kimball. Second was by Ms. Gray and the motion carried unanimously.

COMMITTEE REPORTS

A. Housing

Ms. Kimball said the committee is continuing to work on the website, including the format and the embedded links. ARCH director Arthur Sullivan has expressed an interest in seeing the information contained expanded to cover the entire Eastside, but the Bellevue template will be completed first before making contact with other Eastside cities to determine their level of interest in being included. Progress is being made.

B. Outreach

Ms. Thompson said the committee is focused on the Farmers Market event scheduled for August 31. She said the committee would be meeting after the Network meeting to decide

who should be invited to fill the three remaining spots. Invitations have already been sent out to Hopelink, Senior Services, Evergreen Care Network, Overlake Hospital, and Senior Net.

Ms. English said participation at the Strawberry Festival was high and the overall response was good. Ms. Kimball added that the booth enjoyed a much higher level of traffic than it did at the 2009 event.

C. Advocacy

Ms. Rasnack said the projects the committee has been working on continue to move forward. She said the group is still working on establishing partnerships with area hospitals relative to Sound Transit issues.

Mr. Katz reported that Sound Transit has identified four possible locations long the Burlington Northern/Sante Fe track for the hospital station: the southern end of the Whole Foods parking lot near NE 8th Street, the northern end of the Whole Foods parking lot, at NE 10th Street where Bellevue Art and Frame used to be located, and in front of the Lake Bellevue condominiums complex.

Chair Robinson said the next meeting on the topic is slated for a date in July. She urged the committee to send a representative to that meeting.

Mr. Katz he had heard the hospitals are of one mind in favoring the Whole Foods site for the station.

Mr. Katz asked if it would be possible for the city to conduct a count of the number of homeless persons living along the Burlington Northern/Sante Fe railroad right-of-way who likely will be displaced when the East Link line comes through the area. Ms. O'Reilly said she would pass that question along to Human Services Commissioner Stephanie Beighle who is the person heading up the One Night Count in Bellevue.

Mr. Katz reported that there will be a meeting focused on the hospital station at City Hall on July 13 from 4:00 p.m. to 6:00 p.m. That will provide everyone an opportunity to offer comments directly to Sound Transit staff.

COMMUNITY PARTNERSHIPS REPORTS

A. Eastside Easy Rider Collaborative

Ms. O'Reilly reported that the King County Mobility Coalition is charged with helping to coordinate transportation options for low-income people, persons with disabilities, older adults and youth. The Coalition was able to obtain a two-day training session from Easter Seals representatives. The session was very energizing and resulted in four goals for the Coalition to work on, one of which was focused on older adults. More details will be shared as they are worked out.

The Eastside Easy Rider Collaborative will be meeting in the next couple of weeks to look at what the King County group has come up with and to make a determination as to how it wants to participate.

B. Eastside Human Services Forum

Ms. English reported that a meeting was held on June 30 to debrief what was learned from the dialogue with staff from different Eastside cities. She said there was general consensus that

the dialogue uncovered a great deal of interest and energy about the value of having a regional voice. Each city indicated that they have certain barriers to be overcome, but each also felt that the time is right to start moving forward. The director of Aging and Disability Services for King County demonstrated how motivated she is to partner with the Forum in taking things to the next level, which is getting staff from the different jurisdictions to broach the subject with their councils.

Ms. O'Reilly said one proposal made was to encourage the area cities to assign one person each to attend the upcoming legislative forum to observe the process in the hope that they could replicate it in their jurisdiction. That approach will allow for modeling what has been successful for Bellevue and Kirkland without imposing the model on others.

Penny Kahn, also with the Kirkland Senior Council, said their art show was recently completed. There were some 90 entries from artists over the age of 50. The event was a very big success.

Chair Robinson proposed displaying the winning works in the Network booth at the Arts and Crafts Fair. Mr. Megargel agreed to follow up on that.

Mr. Katz proposed asking the Kirkland Senior Council to help staff the booth and there was agreement to do that.

OTHER BOARDS/COMMISSIONS REPORTS

Kathy Iverson with the Kirkland Senior Council said filming on their fall prevention video has been completed and the process of editing it has begun. A hard copy should be ready by the end of the October.

STAFF REPORT

Ms. VonWald thanked Ms. Kimball, Ms. English, Ms. Sharek and Ms. Ressler for their participation at the Strawberry Festival. A lot of materials were given out and a big impact was made on the community. The next outreach opportunity will be the Bellevue Art and Crafts Fair Festival of the Arts.

With regard to the latter, Ms. Thompson noted that the Kirkland Senior Council is interested in participating. Ms. VonWald suggested convening a meeting of the outreach committee to work out the details.

Speaking about the budget, Ms. VonWald said the work of the results teams is set to wrap up by the end of July. Starting in September, the City Council will begin reviewing the budget proposals and will hold public hearings. They will act in December to adopt the budget for the next biennium.

Ms. Kimball commented that in a recent *Seattle Times* article the city of Bellevue was given a thumbs up for people who get it about budget planning.

Ms. VonWald reported that an East Link station location meeting is planned for July 13 at City Hall.

Mr. Katz pointed out the fact that to date in 2010 there had not been a joint meeting of the Network and the Kirkland Senior Council to discuss taking on another project. Ms. Iverson said it was her understanding that there had been agreement the legislative forum is in fact a joint project, as is the Eastside Human Services Forum senior dialogue work.

NEW BUSINESS – None

PUBLIC COMMENTS/QUESTIONS

Ms. Iverson called the attention of the Network to a website called kirklandviews.com. She said the site is not sponsored by the city of Kirkland. The website, among other things, invites readers to submit ideas for how the city of Kirkland should spend its tax dollars. The latest results indicate a very low priority for senior funding; the majority opinion is that tax dollars should be spent on police and fire services first, followed by parks facilities.

It was suggested that because seniors are as a group less internet savvy, the vote tally may not represent them at all.

UPCOMING AGENDA ITEMS

The Network reviewed items to be discussed at upcoming meetings.

ADJOURN

Motion to adjourn the regular meeting of the Network was made by Mr. Katz. Second was by Mr. Megargel and the motion carried unanimously.

OLDER ADULT INITIATIVES UPDATE

Chair Robinson introduced Washington State Attorney General Rob McKenna.

Mr. McKenna said it was a bonus to have representatives from Kirkland present. He thanked all of the Network members for the work they do on behalf of older adults in Bellevue. He said his mother at the age of 86 has been able to stay in her home, and his mother-in-law lives in senior housing in the city; both enjoy being part of a community that values people of all ages. Of course, helping people age in place poses a number of challenges, but is a necessary step given that the fastest growing demographic both nationally and locally are people aged 85 and over.

Mr. McKenna spoke for a moment about the work being done by the office of the Attorney General regarding elder and vulnerable adult abuse relative to protection, prevention, education and legislation. He explained that in 2008 the Adult Protective Services Division of the Department of Social and Health Services (DSHS) received 14,390 reports of suspected abuse, neglect, self-neglect, financial exploitation and abandonment involving vulnerable adults. While the term “vulnerable adults” mostly refers to the elder, it also encompasses the disabled. Statewide, the Aging and Disability Services Administration receives about 100 phone calls per day about suspected and actual cases of abuse and neglect. The numbers are growing at about the same rate the population is growing. The number of reports is very large, but the suspicion is that only about one in six cases is actually being reported.

Vulnerable adult abuse affects seniors across all socioeconomic groups and to people living in their own homes and in senior facilities across the state. The abuse takes as many forms as one might imagine, including physical and sexual abuse, emotional and psychological abuse, financial abuse and exploitation, abandonment and self-neglect in which people left alone are unable to care for themselves.

The state is working to identify risk factors so that the investigative efforts and responses can be more focused. The research shows that women and the very elderly are more likely to be

victimized. Dementia and isolation are known risk contributors. Substance abuse and mental health issues are also risk factors, both for the victims and the abusers.

Mr. McKenna said he started working on the issue in 2006 as the result of a couple of personal experiences. He said the first incident involved an aunt and uncle living in California whom he had visited around Thanksgiving in 2005. They were both in their 80s at the time. The following year, his uncle passed away. He said not long after that, another uncle, who had been keeping an eye on his aunt, called and expressed alarm the financial exploitation he saw happening at the hands of one of her sons; the son had both a gambling and drug habit and was systematically dismantling her bank account. He said he called both the police in his aunt's hometown and California Adult Protective Services, the result of which was the arrest of the woman's son and the establishment of a guardianship for his aunt who eventually moved in with her other son and lived with him until her death in 2009.

Mr. McKenna said the second incident occurred in King County. He said he received a call from the grandson of one of his former Sammamish High School teachers who voiced concern that his grandmother had lost her home to one of her daughters through some means of coercion. He said he made a call to the King County Prosecutor's Office, who in turn made a phone call to the sheriff's office which investigated and found strong evidence of fraud. They were preparing to charge the daughter who had taken the house when the daughter passed away. Unfortunately, however, his former teacher lost her home and never got it back.

Mr. McKenna said those two stories have helped to crystallize his thinking about the issue of vulnerable adult abuse. Beginning in 2006 the Attorney General's office began to plan an initiative around increasing protection for vulnerable adults. A summit was held in the spring of 2007 that brought together about a hundred experts from all around the state; the experts were from state agencies and non-profit agencies. The focus was on the changes that could be and should be made to state law in order to increase the likelihood of protections, investigations, and where necessary prosecutions.

By law, all Medicaid fraud cases are investigated by the Attorney General's office, the result of which is the recovery of between \$10 million and \$14 million per year for the state. In the course of uncovering financial fraud, the investigators often come across evidence of abuse of people who are Medicaid patients. Because of the obvious tie-in, the Medicare fraud unit chief was tapped to chair the summit in 2007.

By the summer of 2008 a detailed report on vulnerable adults was completed. The report is one of the most comprehensive produced to date and can be seen by visiting the Attorney General's website. In the report there is an analysis of the problems of long-term care abuse, financial fraud, in-home abuse, and a number of other issues. The report serves as a snapshot of where things stand and where things are headed.

In the 2009 legislative session, a vulnerable adult protection bill was submitted. It failed in its first attempt but a version of it was passed in the 2010 session. The law now requires that mandatory reporters must report suspicious deaths of vulnerable adults to the coroner or medical examiner. The impetus for that requirement was the concern that some deaths had gone uninvestigated simply because they had not been reported to the proper authorities.

A second provision of the law is aimed at financial exploitation. The summit report found that financial institutions do not always report suspicious transactions because they are afraid of liability. They do train their personnel, but in whatever way they choose. Under the deal struck with the financial institutions following negotiations, the institutions agreed to be bound by requirements to provide training to staff to help spot suspicious transactions in return for being protected from liability once a report is filed; the institutions are also

empowered by the new law to freeze suspicious banking transactions for up to five business days, and for up to ten days for transactions involving securities. The institutions must have a good faith believe that financial exploitation is occurring. Some legislators thought the banks would interfere with people's transactions, but in the end they were persuaded regarding the need for the financial institutions to stop suspicious transactions until they can be checked out without being liable; the legislators agreed with the need for the institutions to consistently and effectively train their staff.

The law does not include one element that was sought by the Attorney General's office regarding stiffer penalties for criminal abuse of a vulnerable adult. Another attempt to add that element may be made in the future.

Mr. McKenna noted that recently there was a series of articles in the *Seattle Times* regarding adult family homes. The series includes some pretty horrific examples of abuse. In response to the articles, the secretary of DSHS formed a vulnerable adult study group within her department to study adult family homes. He said he appointed two of his assistant Attorney General's, including the director of the Medicaid Fraud unit, to work with that group in addressing compliance and safety issues. That work is ongoing under the intent of the secretary to improve the effectiveness of her agency in regulating and monitoring adult family homes. The problem is that there are so many adult family homes and they are growing at such a fast pace that DSHS faces huge challenges in monitoring them all, particularly in light of the fact that the licensing fees do not begin to cover the cost of regular or more frequent inspections. Licensing fees for nursing homes and assisted living facilities are assessed on a per-client basis, and that approach yields revenues sufficient to cover regular inspections of those facilities.

Mr. McKenna said his office believes that education is a key factor. It is necessary to increase awareness of the problems and the knowledge of everyone in the community about what to look for. The public needs to be educated in regard to the warning signs of abuse in relatives and elderly neighbors, such as unexplained bruises and other injuries, unexplained changes in alertness or mood, sudden changes in their financial situation, and unattended medical needs. An obviously strained relationship between a vulnerable adult and his or her caregiver is also a warning sign. Everyone everywhere needs to do a better job of keeping a watchful eye on vulnerable adults in their communities; that will mean involving a much larger number of people who are willing to watch for the warning signs and be willing to notify the proper authorities.

In Pierce county a new program has been launched in which the sheriff's office is teamed up with Crime Stoppers to encourage the reporting of suspected cases of abuse. That is a very good idea, and partnerships with other organizations in the communities should be sought out. Government will not be able to solve the problem on its own, nor will non-profits relying on their own resources. Partnerships are needed. The Network on Aging model is a great example of how a community can mobilize to address such issues successfully.

Chair Robinson opened the floor to questions from the Network members.

Mr. Katz asked how community and local organizations, such as the Network on Aging and the Kirkland Senior Council, can best support seniors. Mr. McKenna said such groups can benefit seniors most by supporting local and state programs that help seniors. They can advocate in favor of funding senior programs. Equally important is the need to increase education and awareness levels in the community. Locally and across the nation a lot of time and attention is paid to children's issues, which is as it should be. At the same time, however, elder issues receive far less attention. If elder and vulnerable adult issues could be elevated to the same level, the nation as a whole would be a lot better off.

Ms. Heyden asked what changes to Washington law or practice would most improve the lives of seniors. Mr. McKenna said his field is law enforcement, which naturally leads to thinking about the criminal laws. The fact is there is not much deterrent currently on the books relative to financial fraud and physical abuse and neglect. The answer is not necessarily putting all of the perpetrators behind bars, though there is room to move in that direction. Some consideration should be given to establishing stiffer penalties for financial fraud and exploitation, and for physical abuse and exploitation. There is little to strike fear into the hearts of those who commit such crimes. Another issue the state needs to get its arms around is prescription drug abuse, which affects seniors both through substance abuse and through the theft of prescribed drugs. One of the first things law enforcement personnel do when visiting the home of an elderly person who has died is to bag up all the drugs; if that is not done, the drugs will disappear. Prescription drug abuse is currently the leading cause of accidental death in Washington state. Far more are dying from prescription drug overdoses than are dying from the use of illicit drugs. Elders are often targeted for their medications, and they need better protections.

Ms. Kimball commented that charities frequently outsource their fundraising and collection efforts, and savvy telemarketers seek to develop relationships with easy targets and repeat donors. She asked what can be done to reduce or eliminate such predatory behaviors. Mr. McKenna said there are a number of things his office, the Federal Trade Commission, the American Association of Retired Persons and others have been doing by partnering together. He pointed out that in 2005 he sued Western Union because of the number of complaints received about frauds being perpetrated that involved wire transfers of money. The investigation done in conjunction with other states uncovered the fact that one of every three dollars being wire transferred to Canada by Western Union was fraud, and that many of the telemarketers calling into the United States were calling from Canada. The settlement with Western Union provided several million dollars that have been used to fund a fraud fighters program through AARP. The program trains seniors on the ins and outs of fraud and sends them out to train other seniors. As a part of the program, AARP operates a phone bank that makes phone calls to seniors all over the country, alerting them to particular fraud issues and inviting them to request information be mailed to them. When boiler room operations are raided, the names on the lists recovered often end up at AARP which then calls the intended victims to give them a heads up and encourage them to learn about the fraud fighter program. The call center for the program in Washington State is located in Northgate and is always looking for more volunteers. The Attorney General's consumer resource centers in downtown Seattle, Bellingham and Vancouver cover the entire state and rely heavily on volunteers to process calls and emails that come in from the public. Telemarketers and other fraudsters are not giving up because they are obviously making money for their efforts, so it is a constant battle to educate and reeducate about schemes. Both Western Union and MoneyGram have put a number of alerts and checklists in their forms to get people to think about what they are doing, but the bad guys often coach their victims to work around those barriers.

Mr. Katz commented that there have been cases of legitimate charities defrauding people. He cited one case in which an elderly mother was contacted repeatedly by a charity whose hired telemarketer called every month seeking a donation; the elderly woman could not remember that she had already donated and sent in another check. Mr. McKenna allowed that cases such as that one are very challenging. Strictly speaking, it is not illegal for anyone to call the same person monthly and ask for another donation. A car dealer in Seattle a few years ago was charged with fraud when it was discovered that he had sold a number of cars to an elderly gentleman who could not remember that he had already purchased a car; in that case one of the salesmen actually went to the victim's house in an attempt to sell him yet another car. In some cases the best prevention is to change the victim's phone number and make it unlisted. Education is essential; seniors should be informed about the national Do Not Call list, should

be encouraged in some cases to have caller ID so anonymous calls and calls from numbers that are blocked are simply not answered.

Ms. English asked what legislation that will affect seniors will be proposed in the future. Mr. McKenna said his office is currently waiting to see what will come out of Susan Dreyfus's vulnerable adult working group. That will likely result in DSHS-proposed legislation that the Attorney General's office will put its shoulder behind. It is likely that some reforms governing adult family homes will be brought forward.

Ms. Thompson pointed out that the advocacy committee of the Network did support the vulnerable adult legislation proposed by the Attorney General's office. Mr. McKenna thanked the group for doing that. He said the efforts by the committee, along with those of AARP, made a very big difference.

Ms. Thompson asked what issues affecting seniors the Attorney General's office most frequently deals with. Mr. McKenna said senior issues are encountered most frequently in the context of working on behalf of DSHS, especially relative to adult protective services and licensing issues. He said his office handles all of the legal work associated with provider license revocations and suspensions. The licensing board for the specific facility will take an administrative action; if the license holder appeals the action, the Attorney General's office will represent DSHS in the courts. Medicaid fraud is also an area in which the Attorney General's office is heavily involved, and many of those cases involve vulnerable adults. Where evidence of criminal neglect is uncovered, the cases are turned over to local law enforcement for criminal investigation and prosecution at the county level. The Attorney General's office prosecutes Medicaid fraud cases.

Mr. Englund commented that Medicare participants are instructed to always carry their Medicare cards with them; the cards, however, show the person's entire Social Security number. He asked if there is a legal requirement for the participants to carry their Medicare cards, and if there might be an alternate solution available. Mr. McKenna allowed that there are alternative solutions. The simplest thing would be to assign a unique identifier to each Medicare recipient that is not their Social Security number. The reason Social Security numbers are so valuable to identity thieves is that they form the basis for many other identification uses, such as the identity provided to a creditor. Someone can impersonate another person if they have that person's name, date of birth, address and Social Security number; the risk of that happening has increased through the requirement of healthcare providers to have those receiving service to show their identification each time they receive service. The most common instance through which identity theft occurs is through stolen or lost wallets and purses. He said he has been told that the Medicare system intends to stop using Social Security numbers on their cards and to move to a unique identifier instead. He said he has never understood why healthcare providers require their clients to show their Medicare cards; after a second visit, the person should be in the computer system and proof of identification alone, such as a driver's license, should be sufficient. He suggested the Network might want to broach the topic with healthcare providers.

Mr. Englund offered as a solution carrying only a photocopy of the Medicare card when going to a medical appointment; all the healthcare provider does is make a copy of the card anyway, and handing over a copy would satisfy what the provider wants and eliminate the need to carry the actual card at all times.

Chair Robinson provided Mr. McKenna with a brief description of the work of the Network. She said for 2010 the Network has three subcommittees: housing, outreach, and advocacy. The housing committee has been working on developing a senior housing guide with a list of affordable, market-rate and assisted living options along with independent living options.

Ms. Thompson explained that the outreach committee has for the past two years or so has been active in writing articles for the *Bellevue Reporter* focused on senior topics, including elder abuse. An article on fraud is being contemplated. The committee also gets involved in community fairs and uses the opportunities to provide information about the resources available to seniors, and about the Vial of Life program.

Ms. Rasnick stated that the advocacy committee has been focused on senior issues both locally and at the state level. The committee advocated in favor of the senior citizens services act, in favor of funding for adult day health programs, and in favor of the vulnerable adult legislation. The group hosts a legislative forum each year where local legislators are invited to learn and talk about senior issues. The group has also been advocating on behalf of seniors and people with limited mobility in the Sound Transit East Link station area planning efforts.

Mr. McKenna recommended watching for the DSHS report from the Vulnerable Adult Study Group. The Network may want to ask for a presentation on the study and its findings. To the extent that changes to state law are proposed, the committee may want to be involved.

Ms. Gray said she serves as a social worker who works with consumers who are looking for adult family homes. She commented that adult family home surveys need to be posted online for consumers to see, as well as assisted living facilities and nursing homes. She said she has at times had to resort to using the public disclosure laws to obtain some of that information even though consumers are supposed to be able to access the information readily. The surveys certainly do not present the entire picture, but they do offer valuable information on which consumers can base their decisions. Mr. McKenna allowed that the issue was identified at his vulnerable adult summit in 2007. It was highlighted in the report that came out in 2008, and the original vulnerable adults protection bill included a provision that would have required DSHS to make available online all kinds of information about providers and individuals who are licensed to provide in-home care; that provision was not approved by the legislators, some of whom felt it would be unfair to the providers. It is easier to obtain information about the reliability of roofers and auto mechanics than it is of senior healthcare providers, absent filing a public records request. He suggested the topic would be a good one for the Network to take on; he added that his office would willingly serve as a partner.

Mr. Katz asked what it feels like to appear before the Supreme Court of the United States. Mr. McKenna said he was very nervous the first time. He said he has appeared before the court on three occasions, both to argue cases and to watch his team argue cases. He said since becoming the Attorney General his office has had seven cases before the Supreme Court and has won all seven. Each appearance becomes less stressful, though each experience is intense and it pays to be very well prepared. Practice sessions with a moot court are always conducted ahead of time and are very helpful. The justices are always very engaged and well prepared. He said it has been a great honor to be before the court representing the people of the state of Washington.

Chair Robinson thanked Mr. McKenna for attending the Network meeting and being willing to share his comments and insights.

After Mr. McKenna left, Chair Robinson remembered that she would like to have informed him about the gatekeeper program. Ms. VonWald said the Network should draft a thank-you letter and take the opportunity to mention it. She said she would also send him two Vial of Life packets.

The meeting ended at 9:57 a.m.