

# NASUAD NEWS



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## The Newsletter of the National Association of States United for Aging and Disabilities

### UPDATES FROM WASHINGTON

#### Tax Compromise

On December 15, the Senate voted 81-19 to send the President's \$858 billion tax compromise package (HR 4853) to the House, where it passed late Thursday night by a vote of 277-148, despite vociferous Democratic opposition to some of the measure's more contentious provisions, such as the extensions of the estate tax and higher income tax cuts.

In addition to the extension of the 2001 and 2003 Bush-era tax cuts for all incomes, and the estate tax with a \$5 million exemption level and a 35 percent tax rate, the measure will extend unemployment benefits for 13 months,

making them retroactive to November 30, when they expired. To make the bill more politically palatable, the Senate added several energy-related provisions, such as the Republican-backed one-year extension of the ethanol production tax credit, and, for Democrats, an extension of the "Section 1603" grant program for renewable energy.

The compromise also includes extensions of the Child Tax Credit, the Earned Income Tax Credit, the American Opportunity Tax Credit, as well as series of business tax breaks, and enacts a one-year, two percent cut in Social Security payroll taxes in 2011. ■

#### National Commission on Fiscal Responsibility and Reform

On November 10, 2010, Republican Alan Simpson, a former Wyoming Senator, and Democrat Erskine Bowles, a former chief of staff to President Clinton, the co-chairs of the National Commission on Fiscal Responsibility and Reform, released their preliminary recommendations for achieving fiscal sustainability and balancing the budget by 2015 in their 'Chairmen's Mark,' a draft proposal that was intended as a framework on which to build the final report. The Commission was scheduled to release and vote on a final set of recommendations no later than December 1, 2010, with approval of the report by least 14 of the group's 18 members needed to send the recommendations to votes in the House and Senate. On December 1, 2010, the Commission released its final report and scheduled a full Commission vote for Friday, December 3. The final report, also compiled by Bowles and Simpson, reflected some of the changes suggested by various Commission and Congressional members, but did not change substantially from the Chairmen's Mark. Though the proposal did not reach the 14-vote threshold, significantly, a majority of the Commission's members (11) did endorse the proposal, and leaders from both parties have indicated that they will incorporate some of the Commission's recommendations in budget, spending and tax decisions in the coming year.

In their final report, “The Moment of Truth,” the Commission makes six basic recommendations to achieve long-term fiscal sustainability, including (1) enacting discretionary spending cuts, (2) reforming the tax system, (3) controlling health care cost growth, (4) mandatory savings, (5) ensuring Social Security solvency while reducing poverty among older Americans, and (6) reforming the budget process to achieve stability.

[Click here for NASUAD’s analysis of the final report.](#) ■

## ANNOUNCEMENTS

### Engaging Volunteers in the Aging Network: A National Resource Center

On December 13, the National Association of Area Agencies on Aging (n4a) announced the creation of “Engaging Volunteers in the Aging Network: A National Resource Center”. This is a collaborative effort by the Administration on Aging (AoA), n4a, NASUAD, AARP Foundation, Senior Service America, the Council for Certification in Volunteer Administration, and the University of Michigan. The center will deliver assistance

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to members of the aging network in support of volunteers.

This is made possible through a three-year AoA grant. The grant provides funding for the development of a technical resource center to conduct preliminary research on current civic engagement, bring together leaders in the field to share their expertise, build strong outreach and communication throughout the country, and provide research and promote best practices. It will also work to train volunteers and provide technical assistance for volunteers and volunteer coordinators. The press release can be found [here](#).

NASUAD will be an active partner organization in the center. If you have any questions, please contact Deb Merrill at [dmerrill@nasuad.org](mailto:dmerrill@nasuad.org). ■

## NEW MATERIALS AND RESOURCES AVAILABLE

### Administration on Aging Newsletter Focused on the Affordable Care Act

In late November, the Administration on Aging (AoA) announced it will be releasing an e-newsletter devoted entirely to information about the Affordable Care Act’s impact on the Aging Network. In each edition you will find information about upcoming funding and training opportunities, notices found in the Federal Register, and stories from people working on implementation. [Click here for the recent edition of Affordable Care Act News.](#) ■

### State Fiscal Surveys

On December 1, 2010, the National Governors Association (NGA) and the National Association of State Budget Officers (NASBO) released their biannual survey of states’ fiscal conditions, The Fiscal Survey of States, fall 2010 edition. [Click here to view the full report.](#)

#### NGA/NASBO Report Summary

According to the survey, state general fund revenues for fiscal year 2011 are projected to be \$636 billion, a slight improvement over last year’s levels, but still well below 2008 pre-recession levels. State revenue collection of sales, personal income, and corporate income tax, which account for approximately 80 percent of general fund revenues, are still significantly

below pre-recession levels. Looming over fiscal year 2012 is the end of the *American Recovery and Reinvestment Act of 2009* (ARRA) state funding, leaving a significant gap in state budgets. As of the survey date, 23 states in fiscal year 2012 and 17 states in fiscal year 2013 are reporting nearly \$41 billion in budget gaps each year. Currently, 11 states are still working to close almost \$10 billion in budget gaps by the end of this year.

### Forthcoming NASUAD Fiscal Report

As demonstrated in NASUAD's forthcoming joint-report, *"Weathering the Storm: The Impact of the Great Recession on Long-Term Services and Supports,"* many state officials are grappling with difficult decisions on budget cuts and reductions in services. The "Great Recession" is the longest downturn in our nation's history since the Great Depression, and it has taken a deep toll on state and local programs aimed at providing home and community care. The report, the most comprehensive analysis to date on the budget cuts to both Medicaid and non-Medicaid-funded long-term services and supports (LTSS) in each state, demonstrated that the recession remains a sustained and growing concern for state agencies. Based on preliminary findings, thirty states cut aging and disability services programs (non-Medicaid) in FY 2010, and twenty-eight states were expecting to cut aging and disability services programs (non-Medicaid) in FY 2011. At the same time the request for services, a lagging economic indicator, increased exponentially across service-types. More than half of the states reported increased demands for information and referrals, home-delivered meals, respite, case management, personal care assistance, family caregiver support, transportation and homemaker services in FY 2010. Exacerbating this fiscal strain, as ARRA assistance phases down, all states will continue to face daunting budget issues in FY 2012 and beyond. ■

## Two new reports from the National Health Policy Forum

Carol O'Shaughnessy, Principal Policy Analyst at the National Health Policy Forum and an expert on the Older Americans Act and the Aging Network, recently published two papers. The first, is a background paper on Aging and Disability Resource Centers (ADRCs) explaining their evolution, functions and implementation, and looking at state

and federal issues and effort. [Click here to view the paper.](#) The second paper is an explanation of the recently enacted Elder Justice Act, passed as part of health reform in the Affordable Care Act, and can be found by [clicking here.](#) ■

### MEDICARE CORNER

## Medicare's Annual Open Enrollment is from Nov. 15 – Dec. 31

Medicare's Annual Open Enrollment began November 15, 2010 and ends soon, December 31, 2010. During this period, current or newly-eligible Medicare beneficiaries, including people with original Medicare, can review their current health or prescription drug plans, compare the plans to other options, and choose the plans that best meet their current needs.

For more information on Medicare coverage options, please visit [Medicare Plan Finder](https://www.medicare.gov/find-a-plan/questions/home.aspx) at <https://www.medicare.gov/find-a-plan/questions/home.aspx>; a resource tool offered by CMS, provides information for beneficiaries to compare coverage options available in their area. A general plan search only requires your ZIP code. To personalize your search, enter your ZIP code and complete Medicare information. Also, as a trusted resource, contact your local State Health Insurance Assistance Program (SHIP) for further information and assistance. ■

## CMS Announces Medicare Premiums, Deductibles & Coinsurance amounts to be paid by Medicare Beneficiaries in 2011

For Medicare Part A, which pays for inpatient hospital, skilled nursing facility, and some home health care, the deductible paid by the beneficiary when admitted as a hospital inpatient will be \$1,132 in 2011, an increase of \$32 from this year's \$1,100 deductible. The Part A deductible is the beneficiary's cost for up to 60 days of Medicare-covered inpatient hospital care in a benefit period. Beneficiaries must pay an additional \$283 per day for days 61 through 90 in 2011 (an increase of \$8), and \$566 per day for

hospital stays beyond the 90th day in a benefit period (an increase of \$16). For beneficiaries in skilled nursing facilities, the daily co-insurance for days 21 through 100 in a benefit period will be \$141.50 in 2011, compared to \$137.50 in 2010. All of these Part A program payment changes are determined in accordance with a statutory formula.

The monthly premium paid by beneficiaries enrolled in Medicare Part B covers a portion of the cost of physicians' services, outpatient hospital services, certain home health services, durable medical equipment, and other items. The standard Medicare Part B monthly premium will be \$115.40 in 2011, a \$4.90 increase (or 4.4 percent) over the 2010 premium.

Those beneficiaries who enroll in Medicare Advantage plans (Medicare Part C) may have different cost-sharing arrangements. Also, enrollees in Medicare Part D prescription drug plans pay premiums that vary from plan to plan depending on each plan's efficiency and scope of benefits. For more information contact your local SHIP and visit <http://www.cms.gov/>.

Also, if you have any questions, or would like further information, please do not hesitate to contact me at [rorourke@nasuad.org](mailto:rorourke@nasuad.org). ■

## OMBUDSMAN CORNER

The National Consumer Voice for Quality Long-Term Care held their 35th Annual Meeting and conference in Orlando, Florida on October 19-22, 2010. With excellent speakers and a record attendance of over 300, it was a very successful conference.

As the conference program stated, "The Consumer Voice envisions a world in which all consumers of long-term care, services and supports are treated with respect and dignity and have a wide range of affordable, quality options across all settings. These options will make it possible for individuals to receive care and services in the location and manner of their choice and to attain a high quality of life."

Conference plenary topics included *Focus on Elder Justice: A Prosecutor's Perspective on Building Partnerships to Stop Elder Abuse*; *Older Americans Act Reauthorization*; *Coming in 2011: Nursing Home Transparency*; and *Advocating for Access and Quality in the "Non-Nursing Home Setting"*. In addition to these thought provoking plenaries, workshop discussions focused on Long-Term Care Ombudsman communication in various

settings, nursing home transitions—MDS 3.0 Section Q, HCBS outreach, use of civil money penalties, family caregiving, resident's rights and empowerment, inappropriate use of anti-psychotics in nursing homes, quality of care and elder justice. Expert speakers provided good topical information and insight into expansion of programs to other states and local areas.

Awards were given to seven leaders in the field of aging. The Janet Tulloch Memorial Advocacy Award was presented to Barbara Frank for her continued dedication to the improvement of quality of life and care for long-term care residents. Becky Kurtz, AoA Director of Long-Term Care Ombudsman Programs, received the Cernoria Johnson Memorial Advocacy Award for her work and dedication as a mentor, role model and leader. The Elma Holder Founder's Award was given to Charlene Harrington, Professor Emeritus of Sociology and Nursing at the University of California, San Francisco, whose life work exemplifies leadership in the field of long-term care reform. This year the Howard Hinds Memorial Award was given to Eileen Bennett and Helen Stanton for their strong individual advocacy for residents on the local level. Alison E. Hirschel, elder law attorney received the Toby S. Edelman Legal Justice Award for her outstanding work through and/or with the legal system to achieve justice for long term-care consumers. The Public Policy Award was given to Marie-Therese (MT) Connolly for her outstanding contributions to increasing public awareness of elder abuse and improving government's ability to investigate and prosecute abuse in long-term care facilities and the community.

Attendees at the conference were excited and encouraged to share best practices with each other. As always, the message in the Aging Network is one of collaboration and cooperation. Planning is underway for the 36th Consumer Voice Annual Meeting and Conference to be held in Grand Rapids, Michigan, October 25-28. ■

## NATIONAL AGING AND DISABILITY I&R/A SUPPORT CENTER CORNER

### Seeking New Ways for Delivering CIRS-A Training

The Information and Referral/Assistance (I&R/A) Support Center facilitates the Certification for Information & Referral Specialists in Aging (CIRS-A) training to professionals serving

seniors and persons with disabilities. However, due to budget restrictions at the state and local levels, it becomes a challenge for I&R/A centers to finance the travel costs for their staffs participating in training. Therefore, the I&R/A Support Center is looking at new approaches for delivering timely and cost effective training. For example, travel costs can be eliminated with the development of an online facilitator-led CIRS-A training curriculum. This training program would enable professionals to access the online training from the convenience of their office or home computer. In another approach for delivering timely and cost effective training, the I&R/A Support Center is exploring the development of a CIRS-A train-the-trainer curriculum, which will be designed to produce a cadre of CIRS-A professionals who can deliver training to their peers at regional and state conferences and meetings. These new approaches would be advantageous to increasing the number of CIRS-A professionals who would be adequately qualified to meet the demands of the consumers seeking long-term services and supports. ■

## STATE PLANNING CORNER

Though designed to assist states in the development of their state plans on aging, the Technical Assistance and Support Center (TASC) Planning Zone, located on NASUAD's website, is a valuable resource tool for all planners. The information available on the TASC site is adaptable to a variety of planning endeavors, including how to approach this process within your state, locality, or organization.

While versatile in its structure and applicability, the TASC Zone contains some information specific to state plans on aging, which may be of particular interest to those states with plans due in FY 2012, as well as those states 'planning to plan' for future fiscal year submissions. For example, it is helpful for states in all stages of planning to be familiar with AoA's annually released, fiscal-year specific Program Instructions (PI), which reflect AoA priorities and serve as a guideline for states submitting State Plans that year. The PI include focus areas for which states must develop and incorporate performance measures into their Plans. The focus areas for FY 2012 are: Older Americans Act (OAA) Core Programs, AoA Discretionary Grants, and Consumer Control and Choice.

The first focus area for the state plans due in FY 2012 is on OAA Core Programs, which are encompassed in Titles III, VI, and VII of the OAA and include: Supportive Services, Nutrition, Disease Prevention/Health Promotion, Caregiver Programs, Native American Programs and Elder Rights Programs. Specifically, AoA is asking states to describe how they will coordinate Title III programs with Title VI Native American programs, as well as how they will work to strengthen their existing Title III and VII services, and how they will integrate these initiatives with the second focus area in the FY 2012 program instructions, AoA Discretionary programs.

To maximize coordination at the state level, for each AoA Discretionary Grant program a state receives, including: Community Living Programs (CLP), the Alzheimer's Disease Supportive Services Program (ADSSP), Lifespan Respite, and the Evidence-Based Disease and Disability Prevention Program, the state must develop measurable objectives that integrate these Discretionary Grant programs with the OAA Core Programs. Additionally, states receiving Aging and Disability Resource Center (ADRC) Discretionary Grants must develop Five Year Aging ADRC plans within 18 months of receiving the ADRC award. To align this document with the State Aging Plan, and to streamline these overlapping planning processes, the ADRC information included in the State Aging Plan should be consistent with, and may serve as, the ADRC Five Year Plan. A template for developing the ADRC Five Year Plan, as well as criteria for fully functioning ADRCs, may be accessed on the TASC Planning Zone at [http://www.nasuad.org/tasc/aoa\\_state\\_plan\\_guidance\\_and\\_resources.html](http://www.nasuad.org/tasc/aoa_state_plan_guidance_and_resources.html).

In outlining the final focus area for FY 2012, Consumer Control and Choice, AoA asks states to describe how they will support Consumer Control and Choice in Title III programs, as well as in non-OAA programs that the state administers. Specific resources to assist states with embedding Consumer Control and Choice are available by visiting the following link: [http://www.nasuad.org/tasc/resource\\_links.html](http://www.nasuad.org/tasc/resource_links.html)

As states develop their State Plans, NASUAD is available to assist with these efforts. We encourage you to visit the TASC Planning Zone, accessible at [http://www.nasuad.org/tasc/tasc\\_index.html](http://www.nasuad.org/tasc/tasc_index.html), to help guide your planning process. ■

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