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CEJC News

Join Now!

CEJC is hard at work strengthening California's response to elder abuse, neglect, and exploitation (see below). To be effective, it is critical that we demonstrate a strong base of support and expertise from all levels and factions within the elder justice (EJ) network. CEJC is the only multidisciplinary voice for EJ in the state, providing a link from the field to state and federal lawmakers. Your membership dues are used to support these activities, future summits and webinars, and information vehicles like *News & Updates*. Join now or make a contribution by visiting our website at ElderJusticeCal.org. Feel free to contact us for questions or additional information at info@elderjusticecal.org.



CEJC Policy Priorities

CEJC is actively pursuing top priorities emerging from the *From Practice to Policy Elder Justice Policy Summit*. Carol Sewell, Program Analyst for the California Commission on Aging and Chair of CEJC's Public Policy Committee, and other committee members are working with California Assemblymember Yamada on a plan to establish a dedicated funding stream for APS training and a state APS office to provide guidance and oversight to county APS programs and liaison with state and federal departments. Stay tuned—we'll be asking for letters of support in coming weeks.



The Committee is also working with California Senator Block (San Diego) on SB 847 to make elderly and disabled victims of financial crimes eligible for victim's assistance (for health, mental health, and legal services; transportation to court; emergency services; and more) through the state's Victim Compensation Fund. For more information, [click here](#). For sample letters of support, contact Carol at csewell@ccoa.ca.gov.

Elder Justice in the Age of Managed Care Webinar Posted

If you missed CEJC's *Elder Justice in the Age of Managed Care* webinar, you can still listen to the presentation on the Academy of Professional Excellence's webinar library by [clicking here](#). The webinar was supported by The SCAN Foundation as part of the *Educating Elder Justice Professionals About Long Term Services and Supports Project*. An "Action Plan" produced as part of the project will be posted soon on CEJC's website at ElderJusticeCal.org.

Tell us your news!



Every day brings important new developments in elder justice and abuse prevention. Help us keep our colleagues informed by sharing updates on your new products, projects, and activities. We also welcome your thoughts and comments. You can reach us by [clicking here](#).

State and local news

Advocates Respond to Governor's Budget

Advocates around the state have



applauded Governor Brown for the state's \$6 billion dollar surplus as well as his plans to use some of the surplus to invest in the Low-Income Home Energy Assistance Program (LIHEAP) and for providing \$100 million in local assistance to support sustainable communities.

Many, however, take issue with his statement that California has maintained an adequate "safety net" for the state's neediest and most vulnerable. Some of the opposition has focused on the Governor's proposal to restrict overtime pay to In-Home Support Services Providers (IHSS) except in emergencies. This means a person who is elderly, disabled, and low-income, and depends on the IHSS program for their daily medical care, bathing, feeding, etc. would need to contact a "backup system" and ask for a different care provider than the one they would otherwise use. In a statement posted on their website, The Congress of California Seniors had this to say:



"It is a proposal that is unfair to hard working, low wage workers and could create chaos for many IHSS recipients. First, because many workers live with their clients, the Brown budget proposal will reduce family income putting both caregiver and client at risk of losing their housing or losing essential income to support the household. It will force thousands of IHSS caregivers deeper into poverty." To see the full statement, [click here](#).

Other groups in California are calling for the following changes to the budget:

- Restore reductions made to IHSS, SSI/SSP, and adult day health care (CBAS) programs;
- Reverse cuts in reimbursement to Medi-Cal providers.
- End reductions in Medi-Cal optional benefits such as eyeglasses, incontinence supplies, and dental care; and
- Shore up services that have been reduced by the federal sequestration, including senior nutrition and housing programs

"Dual Eligible" Pilot Hits Snags

California's pilot project to move dual eligibles (adults who qualify for both Medicare and Medi-Cal) into managed care plans has been delayed by concerns about the quality of plans being offered. The Centers for Medicare and Medicaid Services (CMS), which oversees the pilot project (called Cal MediConnect), recently announced the findings of a Medicare audit of Orange County's CalOptima plan. Based on the findings, CMS has announced that CalOptima cannot begin enrollment until it has corrected problems to CMS's satisfaction. In light of the audit, California's Department of Health Care Services (DHCS) and the Department of Managed Health Care (DMHC) have also decided to review the plan's operations. Members of the California Collaborative for Long Term Services and Supports (CCLTSS), which facilitates information exchange and advocacy related to LTSS, point out that the audit highlights the importance of a readiness review process that ensures that health plans can adequately provide access to health care services for the vulnerable dual eligible consumers they intend to serve.



SACTO Safe House Seeks Support to Prevent Closure

One of the only homes for abused and neglected seniors in the country is about to shut down unless someone steps in to help. Without support, the facility, which works closely with APS, will close. For more, [click here](#).

CCoA Discusses Elder Justice with Kathy Greenlee

During a November visit to Sacramento, U.S. Administration on Aging Assistant Secretary Kathy Greenlee, who oversees the AoA as part of her role as head of the Administration for Community Living (ACL), met with the California Commission on Aging. Greenlee congratulated the Commission for its work on EJ policy and expressed her continued commitment to strengthening protections for vulnerable elderly and dependent adults. Although she acknowledged that major provisions in the Elder Justice Act have not been funded, she pointed out that one, the creation of an Elder Justice Coordinating Council, is proceeding. The Council's achievements include ACL collaboration with the Department of Justice (DOJ) on the first White House Elder Abuse Symposium in 2012, and a new collaboration between AoA and DOJ to develop a nationwide data collection system for APS (see the December 2013/January 2014 issue of News & Updates for more).

LA Judge Affirms Victims Rights

Kudos to U.S. District Judge Dean Pregerson for "getting it" when it comes to victims' needs and rights. Before sentencing Kaveh Vahedi to 18 years in prison for a Ponzi scam he described as "one of the most heartbreaking, vicious fraud schemes I've ever seen," Pregerson said he'd read letters from victims who had suffered failed marriages, panic attacks, anxiety, thoughts of suicide and struggles with feeding their families. He also acknowledged the lack of services for victims. For more, [click here](#).



Covered California Warns about ACA-Related

Fraud Risks

Officials of Covered California, the state's health exchange created under the Affordable Care Act (ACA), are warning consumers that fraudulent activity related to the ACA will likely increase as implementation of the law progresses. Clare Smith, Director of the California-based Elder Financial Protection Network and CEJC Steering Committee member, said that "when changes of this scale happen people are more likely to be duped," adding, "Every day a new scheme pops up." For more, [click here](#).

National news

No New Funding for EJA

The 2014 omnibus spending bill, passed late last year, did not include major funding for the Elder Justice Act. Among the unfunded items was a request for \$8 million for an APS demonstration project. Other relevant FY 2014 funding levels in the bill include:

- The Social Services Block Grant (SSBG) levels remain unchanged at \$1.7 billion.
- OAA Title VII funding is \$20.6 million, down from \$21.8 million in FY12 and FY13.
- Elder Rights Support Activity funding is \$3.87 million, down from \$4.09 million in FY12.

In a press release issued by the Elder Justice Coalition, EJC National Coordinator Bob Blancato said, "We are obviously disappointed in Congress's failure to again provide funding for the bipartisan Elder Justice Act. To deny funding for the critical work of APS as elder abuse continues to grow is a mistake whose consequences grow more severe with each passing year. Work on FY15 funding...begins today."

Obamacare Website Poses ID Theft Risks to Medicare Beneficiaries

Under the ACA, the Centers for Medicare and Medicaid Services (CMS) was required to modernize its IT system.



Unfortunately, in doing so, the agency has introduced new risks for ID theft and other forms of fraud by neglecting to replace Medicare numbers—which are also Social Security Numbers (SSN). According to a report by the Government Accountability Office, “The visual display of the SSN introduces risks to the security of beneficiaries’ personal information, as the number may, among other things, be obtained and used by criminals to conduct identity theft.” Apparently, CMS has a history of dragging its feet. On Oct. 10, the House Ways and Means Committee released a press release from the House Ways and Means Committee stating, “Nearly a decade ago, the Bush Administration issued an order to remove all SSNs from public documents and create identity safe documents.” A new GAO report, *“Centers for Medicare and Medicaid Services Needs to Pursue a Solution for Removing Social Security Numbers from Cards”* (GAO-13-761) shows that CMS has until now failed to include established solutions to the problem.



Bipartisan Bill for Guardianship Reform Demonstration Projects Introduced

The Court-Appointed Guardian Accountability and Senior Protection Act, introduced by U.S. Sen. Amy Klobuchar (D-MN) and John Cornyn (R-TX), would amend Title XX (Block Grants to States for Social Services and Elder Justice) of the Social Security Act to direct the Secretary of Health and Human Services (HHS) to award grants to the highest courts of states to conduct demonstration programs that:

- assess adult guardianship/conservatorship proceedings, including the appointment and monitoring of the performance of court-appointed guardians and conservators; and
- implement changes deemed necessary as a result of the assessments, such as mandating background checks for all potential guardians and conservators, and establishing systems that enable electronic filing and review of annual accountings and other documents.

The program would require courts that are awarded grants to collaborate with state units on aging and state APS agencies to conduct demonstration programs. For more, [click here](#).



CMS Issues Rule to Assess Caregivers' Needs

CMS has issued a final rule action pertaining to the assessment of Medicaid home and community based waiver program clients that, for the first time, addresses the needs of clients’ informal supports (family caregivers). In addition to assessing clients’ needs for physical, cognitive, and behavioral health care and support, the assessments will determine whether unpaid caregivers will be relied upon to implement any elements of person-centered service plans to determine their needs. Caregiver assessments have long been promoted by the Family Caregiver Alliance. CEJC’s Caregiving Committee, formed by EJ summit delegates who participated in the Caregiving breakout session, has been discussing the need for caregiver assessments that further identify risk factors for stress and the potential for abuse and neglect.

Senior Financial Bill of Rights

A new bill introduced by Joe Manchin (D-WV) would amend the Older Americans Act to require states to create Seniors' Financial Bill of Rights, aimed at protecting older Americans from financial abuse. The bills would guarantee seniors access to information about their financial rights, financial counseling resources to make informed financial choices, and legal assistance to protect their financial rights. For more, [click here](#).

New Resources

Advocate's Guide to Assisting Victims of Financial Fraud

Taking Action: An Advocate's Guide to Assisting Victims of Financial Fraud, created by the National Center for Victims of Crime in collaboration with The FINRA Investor Education Foundation, gives victim advocates a roadmap for responding in the wake of financial crimes. It showcases tools and resources to assist victims of financial fraud regain their financial footing and address the emotional trauma they have suffered. Click [here](#) to view the guide.

Updates On State Guardianship Laws

The ABA Commission on Law and Aging has posted *2013 State Adult Guardianship Legislative Update* describing 32 adult guardianship bills that passed in 24 states from January through December 2013. To view the update, [click here](#).

DOJ to launch EJ Website: Seeks Input

The Department of Justice is poised to launch a new Elder Justice Website in early 2014 to serve as a resource to elder abuse prosecutors and others. A key component of the planned website is a repository of federal and state court pleadings in elder abuse, neglect and exploitation cases. DOJ is looking for good examples of publicly filed documents (e.g., indictments or informations, motions, and sentencing memoranda) to make the repository as effective and useful as possible. For more information, contact Susan Lynch, at susan.lynch@usdoj.gov.



Increasing Social Integration and Preventing Elder Abuse

In a recently posted blog, Psychologist Janet Wolfe describes practical strategies to help increase older adults' social networks. The blog appears on the website of the New York Elder Abuse Center. Also included on the site are downloadable resources at the end of the blog that can be used when working with older adults. [Click here](#) or copy/paste the following link into your browser to view the post <http://nyceac.com/increasing-social-integration-preventing-elder-abuse/>.

Reports/Research

AARP Report on Family Caregivers Assessment



Listening to Family Caregivers: The Need to Include Family Caregiver Assessment in Medicaid Home- and Community-Based Service Waiver Programs, a new report commissioned by the AARP's Public Policy Institute and conducted by the National Center on Caregiving, Family Caregiver Alliance, presents findings from a 50-state survey examining how well the needs of



family caregivers are addressed during client assessments for Medicaid home and community-based services (HCBS) programs. The report highlights promising practices in family caregiver assessment in three states and offers policy recommendations for expanding services to

strengthen caregiving families. To read the report, [click here](#).

Another new report from the AARP Public Policy Institute, created in partnership with the United Hospital Fund, describes how working caregivers, on top of their workplace obligations, are now tasked with such complex caregiving duties as medication management, wound care, tracking glucose levels, and blood pressure readings—often with little or no training or support. The report, *Employed Family Caregivers Providing Complex Chronic Care*, highlights an urgent need for employers to recognize that their employees who are family caregivers are managing complex responsibilities both at home and on the job. To read the full report, visit <http://www.uhfnyc.org/news/880950>.

State AARP Survey Finds Overwhelming Support for In-Home Care

AARP's recently released Independent Living and Family Caregiver Survey found that 86% of those polled strongly agreed that government should redirect resources so more money is spent on in-home care rather than on costly nursing facilities.

Weighing In



CFPB Seeks Feedback on Illegal Debt Collection Practices

The Consumer Financial Protection Bureau (CFPB) reports that more consumer complaints are received about debt collectors than about any other single industry. The Fair Debt Collection Practices Act (FDCPA) prohibits debt collectors from engaging in unfair, deceptive, abusive, and other unlawful collection practices; however, until recently, no Federal agency was vested with authority to issue general implementing regulations. CFPB is currently collecting information from advocates with knowledge about debt collection issues that affect older consumers. For more information, [click here](#).

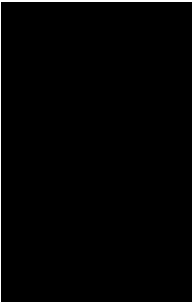
National Family Caregiver Support Program Being Evaluated

The Administration for Community Living is directing a national, comprehensive evaluation of the National Family Caregiver Support Program (NFCSP) to determine how programs are being implemented and their impact. Details about the evaluation goals and process are [available here](#).

Upcoming

National Forum on Elder Justice Convenes at ASA

As part of the upcoming American Society on Aging conference in March in San Diego, opinion leaders, experts, and policy makers will meet to examine elder justice from the perspectives of research, practice, and policy. California's EJ network will be well-represented at the March 13 forum along with national leaders, including: Georgia Anetzberger, Immediate Past President of the National Committee for the Prevention of Elder Abuse; Bill Benson, Principal, Health Benefits ABCs; Donna Benton, Corporate Director of Pacific Clinics Older Adult Services; Robert Blancato, National Coordinator of the Elder Justice Coalition; Kathy Greenlee, Administrator, Administration for Community Living/Assistant Secretary



for Aging, U.S. Administration on Aging; Paul Greenwood, Head of the Elder Abuse Prosecution Unit in the San Diego District Attorney's Office; Laura Rath, Senior Program Officer with the Archstone Foundation; and Mary Twomey, Co-Director of the Center of Excellence on Elder Abuse and Neglect, University of California, Irvine. Pre-registration is required for the event, which is sponsored by Wells Fargo Advisors, and attendees must also be registered for the Aging in America Conference. For more information, [click here.](#)

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