

Maryland Commission on Aging
North Laurel Community Center, Laurel, Maryland
April 13, 2016
10:00 AM—12:00 PM
Minutes

Members Present: Stuart Rosenthal, Chair; Sharonlee Vogel, Vice-Chair; Rose Maria Li; Louise Lynch; Dot Principe; Mary Ellen Thomsen

Members Absent: Hon. Barbara Frush; Honorable Jordan Harding; Maria Jimenez; Michael McPherson

Staff Present: Rona E. Kramer, Secretary of Aging; Rosanne B. Hanratty, Staff to the Commission

Speaker: Monica White, Regional Planner, Maryland Transit Administration, Office of Locally Operated Transit Support

Other: Jane Krienke, Maryland Hospital Association

Greetings--Stuart Rosenthal, Chair:

Mr. Rosenthal welcomed Commissioners and guests to the meeting.

He summarized two letters and a packet of supporting materials he had received from a member of the public who called attention to potential problems with the Maryland Medical Orders for Life-sustaining Treatment (MOLST) form. The writer pointed out the form does not require or even allow the individual or their agent to sign the form, which determines what life-sustaining treatment will be provided. Furthermore, the patient is not even required to be shown the form for up to 48 hours.

In his mother's case, on two occasions, the form had been filled out in a way that contradicted her explicit wishes, which she expressed in her son's and the doctor's presence. In one case, part of the problem he attributed to the doctor's poor command of English; in the other, he had no explanation for the apparent clear disregard of her wishes. The writer said, if he hadn't insisted on seeing the form and on having it changed, his mother would have been left to die in situations where she was successfully revived. The writer also was concerned that the form can be filled out by any medical professional, including nurse practitioners and physician assistants. In most states, a doctor is required to fill it out, and the patient is required to sign it, attesting to its veracity.

Several Commissioners expressed concern about these revelations, and noted they appear to conflict with what the Commission had been told about MOLST in an earlier meeting. Secretary Kramer inquired about the documentation that existed for the experiences of the person about whom the letter was written. She also asked whether the facts had been confirmed through the Department of Health and Mental Hygiene (DHMH), which has responsibility for development of the MOLST form and regulations governing its use. Ms. Hanratty was charged with inviting Paul Ballard from DHMH to a future Commission meeting to address concerns about implementation of the MOLST and of advance directives, and how such concerns can be addressed.

Secretary’s Remarks and Legislative and Budget Update—Rona E. Kramer, Secretary of Aging:

Secretary Kramer said the Department’s budget, totaling \$53.3 million, of which \$22.5 million are state general funds, was approved by the state legislature with insignificant changes. The requested \$6 million in state deficiency appropriations were approved. These were necessary because the Department had included in its budget a higher dollar amount for federal grants than could be substantiated, and that the Department had actually received, cumulatively over the past several years. Going forward, the budget submitted by the Department will include only actual amounts for the federal grants that the Department receives.

Secretary Kramer provided a report on legislation of relevance to older adults in Maryland:

- The Department of Aging sponsored a bill, HB 262, which was enacted, to modify the statute of the Senior Center Operating Fund program so that the definition of “distressed jurisdiction” conforms to other sections of the annotated code. A formula will now be utilized to award such funds.
- Delegate Ben Kramer’s bill, HB 718--*Asset Recovery for Exploited Seniors Act*--was enacted. This enables the Attorney General, on behalf of an older adult, to recover assets using civil proceedings, from those who have defrauded the older adult. The Attorney General’s office has the option to file civil charges in these cases. Filing such charges is not obligatory. The program will be funded through grants.
- HB 439--*Commercial Law - Consumer Protection-Door-to-Door Sales*--introduced by Delegate Kramer, was enacted. It provides that, in the case of a door-to-door home improvement contact, the homeowner will have seven days, if over the age of 65, in which to cancel the contract. (This is an increase from the previous period of three days in which to cancel.)
- HB 744--the *Senior Call-Check Service Program*--also introduced by Delegate Kramer, did not pass. The Department of Aging did not take a position on this bill. There were concerns about funding for the program on the part of another state agency. The bill would not only have provided daily calls to older adults who had opted into the call-

check system, but would have enabled the delivery of emergency information utilizing the same call-check service.

Secretary Kramer said that the Department of Aging has begun a grant program to train medicine aides to administer and monitor use of prescription medications by seniors living in the community that the Department plans to introduce in a number of affordable housing units. Initial funding is \$100,000. This program will have at least two benefits: enhancing disease self-management by the older adult and providing job training and employment skills to the aide. Mr. Rosenthal suggested that the Commission's role defined in the Innovations on Aging provisions at Maryland Code §10-603 might be relevant to future innovation efforts.

Secretary Kramer stated that the Department of Aging is working closely with the Department of Budget and Management to improve its internal audit process. She said that the Department of Aging anticipates that the Office of Legislative Services may shortly notify the Department of the schedule for the Department's triennial legislative audit. Ms. Principe complimented Secretary Kramer and Department staff for their interest in problem-solving and for effectively husbanding federal and state resources.

Approval of the Minutes of the March 9, 2016 Commission meeting:

The minutes were approved without change.

Ms. Lynch complimented Ms. Hanratty on the research regularly provided to Commissioners and the accuracy and comprehensiveness of the minutes.

Training Update—Rose Maria Li:

Ms. Li distributed an updated draft agenda for the joint state commission and local commission training on *Translating Healthy Aging Research Findings into Practice*, to be held on September 22nd. She said that she had confirmed Luigi Ferrucci, M.D., Ph.D. as the afternoon keynote speaker. He is the Scientific Director of the National Institute on Aging (NIA) of the National Institutes of Health (NIH). She stated that she had invited Richard J. Hodes, M.D., Director of NIA, NIH to deliver remarks since several of the participants will be discussing NIA-funded research. She also noted that she would begin to invite panelists shortly. She explained that she was investigating possible support for the training. Ms. Hanratty stated that she is working with Ms. Li and Department staff so that any support for the training comports with State ethics and procurement requirements.

Presentation on Transportation Needs of Older Adults and Grant Programs to Address these Needs—Monica L. White, Regional Planner, Maryland Transit Administration, Office of Locally Operated Transit Support:

Ms. White said that the Office of Locally Operated Transit Support, Human Services Program funds, through federal matching grants, a variety of locally operated systems which take several

different approaches to providing transportation services for older adults and people with disabilities. She said her office oversees programs offered to non-profit entities and faith-based organizations that provide transportation services to Maryland older adults and people with disabilities. She noted that there is an increasing need for such services, including for example, services to older adults who are transitioning from driving to other modes of transportation.

She described two grant programs her office administers: The *Section 5310 program* (part of the *Moving Ahead in Progress 21 (MAP 21)* grant program) and the *Senior Ride Program*. The goal for the former is to improve mobility for seniors and individuals with disabilities throughout Maryland by removing barriers to transportation services and expanding the transportation mobility options available. It provides federal formula funding to states for the purpose of assisting private, nonprofit groups in meeting the transportation needs of older adults and people with disabilities, when other transportation services in the state are insufficient to meet these needs. The goal of the latter is to encourage and facilitate the development of volunteer and/or paid door-to-door transportation services for low-income to moderate-income older adults. In response to questions, Ms. White stated that definitions of low- and moderate-income for Senior Ride varied by program/grantee.

Ms. White said that the *Senior Ride* program has approximately \$200,000 to distribute during this grant cycle but has received approximately \$500,000 in requests and that while in the past there had been approximately twelve applications annually, this year the number has grown to twenty.

Ms. Vogel stated that training programs on how to use mass transit are often necessary for older adults who have not utilized mass transit in the past but that funding for such programs has been limited. In response to questions, Ms. White said that marketing of the transportation services under *Senior Ride* may be paid under a grant and that often information about the existence of such transportation services is spread by word of mouth. She also said that users of the *Maryland Access Point* website can search for transportation services. Ms. Hanratty stated that Department data indicate that in excess of 25,000 inquiries about transportation had been recorded on the MAP website last year, but noted that the numbers were skewed toward Cecil County in which the county's transportation agency and Area Agency on Aging (AAA) are housed in the same agency. Ms. Thomsen expressed concern about people who cannot access transportation-related information electronically because of lack of internet availability or lack of computer literacy, and asked about alternative methods for such people to secure information on transportation programs. Ms. Vogel said that in some locales local libraries distribute such information and Secretary Kramer said that AAAs would have such information.

Ms. Lynch said that a transit workgroup was to have been formed in Frederick County and was to have had its kickoff meeting in early May. She described challenges that residents of Frederick County have faced, including the challenge of transportation jurisdictional lines' lack of congruence with jurisdictional lines for other services or the locations at which residents secured services. For example, Frederick County veterans may utilize services at a Veteran's

Administration hospital in Martinsburg, West Virginia and residents in northern Frederick County may have medical providers in Pennsylvania. Ms Lynch stated that there are potential liability insurance issues if providers of transportation extend services to locations outside of their jurisdictions. She said that one avenue for providing transportation services that she would like the Frederick County transit workgroup to pursue is the use of transportation vehicles which are underutilized to provide services to older adults—for example school buses that might be available during the school day when students are not being transported and vans belonging to assisted living and other older adult communities that may not be used daily.

Mr. Rosenthal said that sustainability of the services provided under transportation grants would be important and Ms. White stated that a criterion utilized when reviewing non-profits' grant applications was the proposed plan to sustain the service beyond the life of the grant. Mr. Rosenthal, on behalf of Ms. Jimenez who was not able to attend the meeting, asked what collaboration was planned with organizations such as the Metropolitan Washington Council of Governments and whether there are educational campaigns in metropolitan regional areas to increase use of public transportation. Ms. White indicated that the MTA would like to hold a symposium for nonprofits to foster collaboration and minimize duplication. Ms. Lynch said that building coalitions and partnerships is key to addressing transportation needs. Ms. Li asked if there had been efforts to partner with ride services such as Uber and Lyft and Ms. Lynch said that some localities offered reduced cost taxi vouchers to residents who do not live on fixed route bus lines.

Ms. Lynch also noted that transportation has been tentatively designated as the 2017 joint state and local commission training topic and that such statewide training events provide opportunities to share best practices of different locales across the state. Ms. Principe stated that Commissioners should work with their local governments and local commissions on aging on issues of concern to older adults. Ms. Li requested clarification about the relationship between the state and local commissions on aging. Ms. Vogel explained that there is not a formal relationship but that several state commissioners have served, or are serving, on their local commissions. Ms. Vogel said she is the present chair of the Howard County Commission on Aging and Ms. Lynch stated that she has attended meetings of the local commissions in Garrett and Carroll counties. Secretary Kramer stated that local commissions would be interested in the Department's plan to have several hearings on the quadrennial State Plan on Aging which is due to the Administration on Community Living this year. [see <http://aging.maryland.gov/Pages/StatePlanonAging.aspx>]

Other:

Jane Krienke stated that she was attending on behalf of the Maryland Hospital Association to gather information on issues involving services to seniors.

Adjournment:

The meeting was adjourned at 12:00 PM

Minutes prepared by Rosanne B. Hanratty