

December 2, 2019



Massachusetts
Councils On Aging

To the 191st General Court:

On behalf of the 350 cities and towns that have established a municipally based Council on Aging, we want to thank members of the 191st General Court for their support maintaining the COA Formula Grant to \$12/elder this year (FY20), and fully funding the Service Incentive Grant Program. The formula grant is a form of local aid that allows COAs to augment their municipal budgets by expanding existing services and programs that are designed to help residents of our Commonwealth age 60 and over. The Service Incentive Grants (SIG) are competitive, align with priorities set by the Administration and Legislature, and promote regionalization, outreach, transportation, and innovation. We are truly grateful that so many of you made COAs a priority when you spoke to the Ways and Means Chairs and then lobbied the Speaker and the President for final passage.

In addition, your support of the Elder Behavioral Health line item (9110-1640) is greatly appreciated. The additional \$300,000 of funding for FY20 will fund two additional regional networks that eventually will help us test intervention techniques, with the ultimate goal to build a better statewide behavioral health system for our Commonwealth's Older Adults in need.

As we approach next year's budget debate, the Membership met and voted to seek the following for FY21:

- **LEVEL FUND: Line Item 9110-9002- Local Aid to municipal Councils on Aging at \$17m with these footnotes:**
 - The FY20 allocation added an additional \$2,017,400 in earmarks above the \$17m needed for \$12/elder and fully funding the Service Incentive Program (SIG). These earmarks are outside of our advocacy concerns, as long as our core request of \$12/elder= \$17million for FY21 is met. We do appreciate the legislature attempts to fund capital projects via earmarks since no other funding is available to help our municipalities build or renovate senior centers. (Alternative: See H622 below)
 - We are currently anticipating a very large increase of older adults to be counted on April 1st 2020 (roughly 450,000 more older adults - source Donahue Institute/UMASS Amherst) which will translate - to maintain \$12/elder and fully fund SIG for FY22 - to an increase of \$6million to a total of \$23million. Thus, knowing our request for FY22 is formidable we simply request level funding for FY21.
- **LEVEL FUND: Line Item 9110-1640- Elder Behavioral Health at \$800,000.** 7 projects are currently being field tested around the state funded from this line item and another 4 are funded thru DPH suicide prevention funds. These 11 projects are currently aligning reporting requirements. We hope to better understand their outcomes and then design the best intervention systems for our Commonwealth.

2019-2020 Legislative Session: Proposed Legislation

As we approach deadlines for the 191st General Court's legislative session, we want to restate our requests of the Legislature.

MCOA Membership Priorities: These proposals have been deemed critical to pass in this session.

S.1692 An Act providing property tax relief for older adults: By Edward J. Kennedy, David Allen Robertson, Patrick M. O'Connor, Michael O. Moore, and other members of the General Court for legislation to provide property tax relief for older adults. Sent to Revenue.

S.945 An Act relative to the expansion of the Good Samaritan law: By Anne M. Gobi, Denise Provost and Susannah M. Whipps for legislation relative to the expansion of the Good Samaritan law. Sent to Judiciary.

H.1348 An Act relative to the expansion of the Good Samaritan law: By Donald R. Berthiaume, Jr., and others relative to liability of persons in transit in private vehicles rendering care and assistance to persons in need. Sent to Judiciary.

H.622 An Act relative to construction and rehabilitation of senior centers: By James J. O'Day and others for legislation to establish a senior center assistance board to assist in the construction or rehabilitation of facilities housing senior centers. Sent to Elder Affairs.

MCOA strongly supports the following bills proposed by our Older Adult Advocacy Partners:

S.678 & H.1173 An Act improving public health through a common application for core food, health, and safety-net programs: By Sal N. DiDomenico, Paul A. Schmid, III, Jason M. Lewis, Mary S. Keefe, and other members of the General Court for legislation to improve public health through a common application for core food, health, and safety-net programs. Sent to Health Care Financing.

S.372 An Act relative to reserving beds in nursing homes during certain leaves of absence: By Mark C. Montigny, Sean Garballey, Michael F. Rush, Tram T. Nguyen and other members of the General Court for legislation relative to reserving beds in nursing homes during certain leaves of absence. Sent to Elder Affairs

S.357 An Act increasing the personal needs allowance for residents of long-term care facilities: By Patricia D. Jehlen, Jason M. Lewis, Steven Ultrino, John H. Rogers, and other members of the General Court for legislation to increase the personal care allowance of residents of long-term care facilities. Sent to Elder Affairs.

2019-2020 Legislative Session: Proposed Legislation (continued P.2)

H.607 An Act increasing the personal needs allowance for residents of long-term care facilities: By Sean Garballey and others for legislation to increase the personal needs allowance for certain elderly and disabled residents residing in licensed medical facilities. Sent to Elder Affairs.

S.355 & H.613 An Act relative to intensive case management for clinically complex older adults: By Cindy F. Friedman, James B. Eldridge, Kay Khan, Bradford Hill, and other members of the General Court for legislation relative to intensive case management for clinically complex older adults. Sent to Elder Affairs.

S.668 An act to support equal access to community care for elders and the disabled: By Joanne M. Comerford, Angelo J. Puppolo, Jr., Bradford Hill, Kay Khan, and others for legislation to support equal access to community care for elders and the disabled. Sent to Health Care Financing.

S.354 & H612 An Act promoting affordability of home care services: By Julian Cyr, James B. Eldridge, Kay Khan, Bradford Hill, and other members of the General Court for legislation to promote affordability of home care services. Sent to Elder Affairs.

S.358 & H630 An Act relative to home care: By Patricia D. Jehlen, Jason M. Lewis, Mathew J. Muratore, James B. Eldridge and other members of the General Court for legislation relative to home care. Sent to Elder Affairs.

SB 365/HB 625 An Act authorizing the option of providing basic common-sense health services for residents of assisted living residences. By Patricia D. Jehlen and Smitty Pignatelli. Sent to Elder Affairs

SB 361 An act directing the administration to amend the Frail Elder Home and Community Based Waiver to permit eligible older adults to choose to reside in certified assisted living residences. By Patricia D. Jehlen. Referred to Elder Affairs, received a favorable report and was referred to Health Care Finance.

S.358 and H. 630 An Act relative to Home Care: By Patricia Jehlen, Aaron Vega and Carmine Gentile for legislation directing the Commonwealth to implement a consistent and rational wage and rate setting process for all essential home care workers that serve elders and persons with disabilities across the long-term care continuum. Sent to Elder Affairs.

H128/S668 An Act to support equal access to community care for elders and the disabled that allows nursing home eligible seniors who are slightly over the income level to access community-based care without being impoverished. By Rep Natalie Higgins and Jo Comerford. Sent to Health Care Finance.

H615/S688 An Act to preserve special needs trusts for disabled seniors by Rep Hogan and Sen Jehlen to preserve pooled trusts for disabled seniors 65 and older. Sent Health Care Finance

S.64 & H.172 An Act relative to supported decision-making agreements for certain adults with disabilities: By Joan B. Lovely, Rebecca L. Rausch, Mike Connolly, Michael D. Brady, Aaron Vega, Paul Tucker, and other members of the General Court for legislation relative to supported decision-making agreements for certain adults with disabilities. Sent to Children, Families and Persons with Disabilities.

H.2606 & S.702 An Act to Establish the Family Caregiving Tax Credit: By David Rogers, Jason Lewis, and other members of the General Court for legislation to establish the family caregiver tax credit. Sent to Health Care Financing.

H.1075 and S.602 An Act to establish the Massachusetts secure choice retirement program and expand the Massachusetts CORE plan to all employers: By Tram T. Nguyen, Pat Jehlen, and others for legislation to establish the Massachusetts secure choice retirement program and expand the Massachusetts CORE plan to all employers. Financial Services.

In addition, we welcome any opportunity to vet and possibly support legislation that improves the lives of older adults of our Commonwealth. Let us know of your proposals.

Thank you for your consideration of these requests and your support of the Commonwealth's older adults.



Rebecca Moriarty
MCOA President and
Director, Hampden Council on Aging



Jayne Colino
MCOA Legislative Chair and Director, Newton
Council on Aging

FYI: H1348

To All Concerned:

I write to draw attention to, and support for House Bill 1348, relative to the "Expansion of the Good Samaritan Law".

The Bill was filed by Representative Donald R. Berthiaume, Jr. on behalf of the Barre Council on Aging and co-sponsored by Senator Anne M. Gobi and twenty seven other legislators. The Bill was referred to the Joint Committee on the Judiciary, and support for the Bill was presented at a hearing before the Committee on 09/24/2019. The Bill remains before the Committee.

The need for such an expansion of the law was created when our town insurance carrier deemed our Friendly (volunteer) Driver program had the potential of too much liability for the town, and the town administrator advised the senior center director to cease the operation. We now have no volunteer drivers.

Good Samaritan Laws are available to protect from legal liability: donors of food, anyone rendering care to accident or crime victims, or to anyone in need of emergency medical assistance. Volunteer drivers deserve the same legal protection.

Transportation is a quality of life issue. Those of us living in rural areas do not have public transportation available, and many of our elders do not have driving privileges. Anyone without available transportation to shopping, medical appointments, religious services, family visits, social activities, etc., will have their quality of life suffer severely. This Bill will prevent that.

Government agencies at every level realize the impact that transportation has on the lives of their constituents, and are constantly looking at ways for improvement. Unfortunately, most solutions require more public funds. This Bill will address the problem with NO PUBLIC FUNDS.

Please encourage your legislators to support HOUSE BILL 1348.

Thank You!
Richard Whippee,
Barre, Ma.