

New York StateWide Senior Action Council

MEMBER UPDATE

Winter 2018



María Alvarez

Age-Friendly New York – Will It Run Parallel with the Older Americans Act?

This year, during his State of the State Address, Governor Cuomo announced that New York had become the first age-friendly state in the country.

This concept, developed by the World Health Organization (WHO) is being adopted in local communities around the world. The WHO says *“Age-friendly environments foster healthy and active aging. They enable older people to: age safely in a place that is right for them; be free from poverty; continue to develop personally; and to contribute to their communities while retaining autonomy, health and dignity. Because older people know best what they need, they are at the center of any effort to create a more age-friendly world.”*

It calls to mind the federal law that governs senior services around the country - the **Older Americans Act of 1965** - enacted to promote the dignity of older adults by providing services and supports that enable them to remain independent and engaged citizens within their communities.

In NYS these funds come in the form of our local senior centers, transportation, nutrition programs, elder employment, congregate services, caregiver supports, and many other services. They are social services in nature, local in the community, and cost a fraction of the price of medicalized services.

With a growing elderly population and increased needs due to physical and economic realities,

funding to programs that are already in place at the county levels, which have proven to be successful and cost effective for over 50 years, might be a wiser use of resources.

The Governor also seeks to launch a Long Term Care Planning Council to identify service gaps concerning senior living. **We would like to encourage the convening of the Governor’s Advisory Committee on Aging, which is in statute in the New York State Elder Law, and has yet to meet under this administration.**

We applaud the attention that is badly needed for services and innovation in senior living. We look forward to being part of a process that ensures true aging in place is implemented across all policies in NYS government and society in general.

But we urge the Governor to strengthen and grow the programs under the Older Americans Act that have served New York State’s elders so well, and more affordably than medical services or institutionalization.

The endgame will be the same - healthy communities, making healthy lifestyle choices easy and accessible for all community members.

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Medicare Patient's Rights Helpline 1-800-333-4374



IS THE FEDERAL FISCAL CRISIS FINALLY OVER?

For many years, there has been no federal budget adopted, and Congress has had to rely on continuing resolutions to keep the government open. Programs

remain funded at prior years' levels – but without needed growth or certainty about future funding.



In January 2018, we saw a momentary shut down of the government as negotiations stalled on adopting a continuing resolution, and since then the

Treasury Secretary announced that the debt ceiling (the amount the federal government can borrow) was approaching more rapidly than expected. That means that the deficit is growing faster, mostly due to reduced tax revenues resulting from the December tax law changes.

Finally, there is an agreement to adopt actual budget language that would fund the government for two years, adding hundreds of billions of dollars to military and domestic programs, although military spending would get more than half of the funding. However, even with these increases, domestic spending would remain below its level of eight years ago in inflation-adjusted terms.

The threatened severe cuts in domestic programs expected in the President's proposed budget may have been overcome. The deal gives Congress the framework for budget bills through the end of this federal fiscal year

(Sept. 30, 2018), and sets overall spending levels through September 30, 2019 making the next budget easier to pass as well. The agreement also postpones the crisis over the debt ceiling; now there is authority until March 2019.

The budget agreement also addressed issues that needed resolution:

- Allows the Child Health Insurance Program to function for 10 years
- Funds Community Based Health Care Clinics
- Provides relief funding for states and territories damaged by natural disasters
- Repeals the Medicare payment cap for therapy services
- Closes the Medicare Part D "doughnut hole" gap in prescription drug coverage for seniors in 2019, a year earlier than expected.
- Eliminates the expected sequestration budget cuts.



Stay informed and make your voice heard

In spite of polls showing the overwhelming majority of Americans from both major political parties value Medicare and Social Security, there is still a need to reinforce that these programs need to stay strong.

Social Security

A new federal proposal for paid family leave for the care of newborns would have the funding come from the Social Security credits of the person taking the leave. What would be an important benefit to care for a newborn would reduce the quality of life in retirement.

The recently enacted federal tax bill used the Chained Consumer Price Index (CPI) to calculate the new tax brackets and deduction levels. There has been discussion of using the Chained CPI to calculate future Social Security cost of living adjustments. This would result in reduced benefits if enacted.



New York State is considering a revision to the state tax code to offset some of the recently enacted federal tax changes that limited the deductibility of state and local taxes (SALT) to \$10,000. One idea is to have employees' personal income tax paid by employers, offset with lower wages (although take home pay would be the same.) In this case, we are concerned that the resulting reduced earnings history & Social Security tax would mean reduced payments when these employees retire.

Medicare

The new federal tax law increases the deficit by \$1.5 trillion over 10 years. When tax cuts like these are not fully paid for, an existing law called "PAYGO" is triggered. This requires cuts in many mandatory programs, including Medicare. It is expected that the deficit busting tax bill will require PAYGO cuts to Medicare totaling \$410 billion over 10 years. Medicare cuts of \$25 billion are anticipated starting in 2018. Congress can waive these cuts with further action.



Call your Congressional Representative & tell them to keep Medicare & Social Security strong for generations to come.

STATE BUDGET ISSUES IMPACTING OLDER NEW YORKERS AND THEIR FAMILIES

StateWide has reviewed Governor Cuomo's proposed budget and will be advocating increased services for older residents. The Legislature is expected to conclude negotiations before the end of the state fiscal year, March 31.

NEW YORK STATE OFFICE FOR THE AGING

We were disappointed to see that there are no proposed increases in programs for the aging under the NYSOFA budget which we believe are needed to address the need of the growing older population. The Governor proposes to reduce some program funding that the Legislature has in the past supported.

Home Care - Funding may be reduced for local office of aging services by \$875,000, mostly supporting the Expanded In-home Services for the Elderly (EISEP)



program. This provides non-medical care at home for older residents whose income is above the qualifications for Medicaid. More funding is needed to address waiting lists and the shortage of home care workers, along with an expansion of funding to ensure that seniors are not underserved.

NY StateWide Senior Action Council's Patient Rights Helpline and Advocacy Project

- This program allows StateWide to empower patients and family caregivers to uphold their rights and provide education through community forums and our Telephone Teach Ins, monthly calls on trending topics.

Medicare Patient's Rights Helpline 1-800-333-4374

NY StateWide Senior Action Council's Patient Rights Helpline and Advocacy Project (cont.)

The Governor has proposed to cut half of our program's funding. This would impact staffing our toll free helpline, how we help patients resolve problems and how we collect information to inform Legislators about problems in the health care delivery systems.

We are urging the Legislature to restore this cut and add additional funding so that we can better serve the community.

HEALTH BUDGET

Medicaid

Medicaid is important because it covers long term care for those with lower income, most of whom are older residents. Most of the budget proposals aim to reduce enrollment in the Medicaid Managed Long Term Care Program (MLTC). Impacted enrollees would still be eligible for benefits, but would need to contact their local Medicaid office to get service. We are concerned because most of the local offices reduced staff and services when MLTC took over responsibility for managing enrollees long term care needs. If changes go through as proposed, there must be assurances that the local social services office will be ready to provide case management. Some of the proposals would:

- require a continuous 120 days of community-based services;
- only Medicaid enrollees with a higher assessed need (score on the Uniform Assessment tool over 9) will be included;

- exclude Medicaid enrollees who have more than 6 months of residence in a nursing home from participating in a MLTC program;
- dis-enroll those who have not received home or personal care services, within 30 days of enrollment; (We are concerned that due to home care service shortages, many enrollees cannot get served in this new time frame.)
- prohibit enrollees from changing plans for 12 months after initial enrollment, unless they can demonstrate good cause;
- reduce the number of social adult day providers and home care agencies;
- remove the transportation benefit– Medicaid enrollees would arrange directly with the state's designated transportation provider for medical transportation services and the provider would be paid on a fee for service basis by Medicaid.

Allowing the spouse of a Medicaid enrollee to have adequate income

Two policies impact the ability to have enough financial reserves.

- Spousal Impoverishment prevention laws allow a spouse of someone needing to qualify for Medicaid to keep resources up to \$74,820, not including the family home or car. The budget proposes to lower this threshold to \$24,180.
- The spousal refusal law allows a spouse to refuse to allow their income to be used to calculate the income for the household member applying for Medicaid. The budget allows the current spousal refusal provision to be in place for MLTC, but not for Medicaid enrollment.

StateWide opposes these changes, which have been proposed and defeated previously. Further, we support increasing the spousal impoverishment threshold to \$123,600, the federal maximum.

HEALTHCARE WORKFORCE/HOMECARE SHORTAGE

StateWide has been leading a coalition of concerned seniors, advocates, senior service providers and agencies concerned about the shortage of home care workers. This shortage is throughout the state and regardless of the type of payment.

Rural Home Care Study

The Proposed Budget directs the Dept. of Health to conduct a study of home and community-based services in rural areas of the State.

Provides a \$1.5 million Medicaid rate increases to support improved availability of home and community based services in rural counties.

Minimum Wage Funding

 The Budget proposal includes funding to support salary increases to direct care workers employed by not-for-profit organizations rendering mental hygiene services on behalf of OPWDD, OMH or OASAS. We support the increased Medicaid reimbursement to address the minimum wage. We recommend that NYS Office for Aging direct care contractors and other not for profit agencies contracting with the state also receive a boost in funding and a cost of living increase to address the salary need to recruit and retain workers.

StateWide opposes enactment of the following budget proposals:

Real Property Taxes – STAR

- Would maintain Basic and Enhanced STAR benefits at existing levels, limiting the growth of the annual School Tax Relief (STAR) benefit from the current two percent to zero percent, thereby holding 2018-19 and all future STAR benefits at 2017-18 levels.
- Would require Enhanced STAR recipients to participate in the STAR Income Verification Program (IVP) administered by the Dept. of Taxation and Finance to verify their adjusted gross income (AGI) in order to receive the Enhanced STAR benefit instead of allowing income verification through local assessor.

State Retiree Health Insurance Benefits

- Proposed elimination of reimbursement for Income Related Monthly Adjustment Amounts (IRMAA) - Medicare enrollees with incomes over \$85,000 pay a higher Medicare Part B premium; NYS has historically included reimbursement for this cost as a state employee retirement health benefit. The budget would eliminate this reimbursement, effective retroactively to January 1, 2018.
- Proposed Capping of reimbursement for the Medicare Part B Premium - the Budget proposal - would freeze state retiree reimbursement of the standard Medicare Part B premium at the current monthly level of \$134 effective April 1, 2018.

- 1** Allows cancer patients an extended right to sue following a missed diagnosis. Previously the clock on the statute of limitations starts from the date of the negligent conduct – instead of from when a patient discovers (or could have known) that a life-altering or fatal mistake was made.
- 2** Improves current reporting requirements related to adult care facility resident deaths or attempted suicides and felonies committed against residents.
- 3** Notice to individuals eligible for the excess income program of the option to participate in a qualifying pooled trust as a means of qualifying for medical assistance.
- 4** Increases the income thresholds for the NYC Senior Citizen Homeowners' Exemption to \$58,400.
- 5** Excludes annuity roll-over transfers from taxable income for seniors, for Senior STAR.
- 6** Requires NYC comprehensive emergency plan to include provisions for home health care and hospice personnel to access restricted areas in a declared emergency when deemed appropriate by local emergency management officials.
- 7** Eliminate charges for any medical record transfer that is needed to apply any government benefit or program.

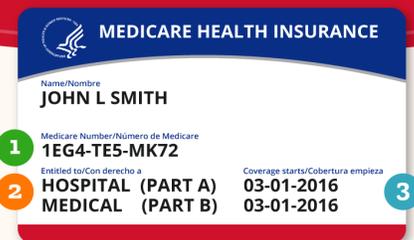
Medicare Card Changes

On April 1, 2018, new Medicare cards will begin to be mailed to Medicare enrollees. The first batch will be sent to those who are newly enrolled, followed by mailings to others. The new card will delete the use of the Social Security Number as your health insurance claim number. A random number will be assigned.

Hold onto your current Medicare card and continue to use it until your new card arrives in the mail. You do not have to do anything to request the new card. AND beware of scams – do not give out any information if someone calls you asking for it because of the new cards.

If you have questions, call StateWide at 1-800-333-4374.

Understanding Your Medicare Card



1

Your new Medicare Beneficiary Identifier (MBI) will replace your Social Security Number.

2

These are the parts of Medicare coverage that you have.

3

These are the dates when your coverage starts with this card.

Medicare Patient's Rights Helpline 1-800-333-4374

NYS PAID FAMILY LEAVE PROGRAM BEGINS



NY StateWide Senior Action Council was pleased to support efforts to assist family caregivers that resulted in the new NYS law providing family and

medical leave. The new law went into effect starting January 1, 2018.

Paid Family Leave will provide most NY employees with wage replacement and job protection to help them bond with a child, care for a close relative with a serious health condition, or help relieve family pressures when someone is deployed abroad on active military service. Employees are also entitled to be reinstated to their job when their leave ends and to the continuation of their health insurance during their leave.

Paid Family Leave premiums will be funded by employees through payroll deductions. The maximum employee contribution for coverage beginning Jan. 1 is 0.126 percent, a weekly contribution of \$1.65.

Paid Family Leave provides coverage for:

- Parents during the first 12 months following the birth, adoption, or fostering of a child;
- Employees caring for a spouse, domestic partner, child, parent, parent-in-law, grandparent, or grandchild with a serious health condition;
- Employees assisting loved ones when a spouse, child, domestic partner, or parent is deployed abroad on active military duty.

Employee Eligibility:

- Employees with a regular work schedule of 20 or more hours per week are eligible after 26 weeks of employment.
- Employees with a regular work schedule of less than 20 hours per week are eligible after 175 days worked.

Insurance Coverage:

- Paid Family Leave coverage will typically be included as a rider to an employer's existing disability insurance policy, and will be fully funded by employees through payroll deductions.
- The program is mandatory for nearly all private employers. Public employers may opt into the program.

Phase-in Schedule:



- Paid Family Leave will be phased in over four years, beginning January 1, 2018.
- In 2018, employees may take up to eight weeks of paid leave at 50% of an employee's average weekly wage up to 50% of the New York State Average Weekly Wage (\$1,305.92.)
- That increases to 12 weeks of paid leave in 2021 paid at up to 67% of the New York State Average Weekly Wage.
- Employees may opt to take leave on a daily basis instead of weekly, if you work at least five days per week you'd get a maximum of 60 days of leave per year.

Annual Convention



There's room for you at the Annual Convention 2018, October 9-11.



Medicare Patient's Rights Helpline 1-800-333-4374

Annual Convention



Medicare Patient's Rights Helpline 1-800-333-4374

New Individual Members:

Joan Apter	Woodstock
Shaynee Bailey	Brooklyn
Sam Avrett &	
David Barr	Fremont Center
Carla Barrett	Saugerties
Susan Beckley	Ithaca
Janice Bennett	Kingston
Cherril Neckles Benson	Astoria
Linda & Bob Bernardi	Altamont
Martha Bial	Dobbs Ferry
Mark Brennan	New York
Judith Bromley	Olivebridge
W. Maude Bruce	Ellenville
Larry Cerecedes &	
Robert Budreau	Ulster Park
Carlota Butler	Brooklyn
Elizabeth Buysse	Upper Jay
Anthony Chestnut &	
Ben Cashaw	Buffalo
Joe & Nydia Corace	Bayside
Bruce Damalt	Auburn
Carolyn Darkangelo	Gloversville
Darrell Davies	Saranac Lake
Mary DiSanto	Auburn
Mary Kaye Dolan	Poughkeepsie
Lynn Edmonds	Ausable Forks
Jorge &	
Deborah Escobar	Schenectady
Gloria Ferraro	Kingston
Isabel Figueroa	Bronx
Cecelia Foster	Brooklyn
Francine Frank	Slingerlands
Stephanie Corina	
Goddard	Freeville
Kameko Green	Poughkeepsie
Melinda Gregory	Buffalo
Elaine & Mike Habernig	Kingston
Virginia Hamilton	Buskirk
Nan Harvey	Ballston Spa
Colleen Hassett	Slingerlands
Sara Lynn Henry	Woodstock
Alethea Ann Hickey	Auburn
Ralph Hills	Wellsville
Melissa Hopson-Smith	Buffalo
Herbert Hyde	Cohoes
Mary Jackson	Brooklyn
Beverly Johnson-Keeler	Saratoga Springs
Thomas & Ruth Jordan	Pine Bush
Barbara Kaisik	Saugerties
Nanon Kopko	Kingston
Linda Beth Lawson	Brooklyn
N. Levinson, PhD	Fort Lee
Claudette Lewis	Brooklyn

Irene Logan	Brooklyn
Stephen Madarasz	Gansevoort
Tracy Marcus	Baldwin Place
Carl Matice	Canton
Barbara McCarthy	Saratoga Springs
Robert &	
Margo McGilvrey	Saugerties
Kelly McMillen	Germantown
Paul Partridge &	
Linda Mertz	Delmar
Eleanor & Julius Minsky	Saugerties
Abbey Mitchell	Woodstock
John & Pam Mizerak	Woodstock
Pat Sterner &	
Jon Moscow	Teaneck
Nino Nannaarone	Smallwood
Elnora Nicholson	Saratoga Springs
Matthew Nirelli	Buffalo
Kathy O'Connor	Tivoli
Caroline Paulson	Tillson
Carol Pittman	Brooklyn
Enid Pottinger	Jamaica
Marion Power	Red Hook
Vernetta Ragland	Brooklyn
Jewel Rankin	Bronx
Gail Rivers	Brooklyn
Ella Rogers	Brooklyn
Mike Romano	Rome
Carol Roper	New Paltz
Peter C. Salerno &	
Amy Rothstein	Pine Plains
Eileen Ryan	Kingston
Edward Sager	Saugerties
Enid Sampson	Brooklyn
Christine Saward	Summitville
Rev. Finley &	
Nancy E.K. Schaeff	Saugerties
Gayle Schumacher	Saugerties
Debbie Serriano	Schenectady
Eva Simpson	Buffalo
John & Michele Stafford	Saugerties
Martha Steuding	Olivebridge
Elizabeth Suter	Manhasset
Charlie Townsend	Woodstock
Rich Vale	Cambridge
Gerard Vallone	Saugerties
Mary Vandezande	Kingston
Lida Wickham	Brooklyn
Mr & Mrs Roy Williams	New Paltz
Margaret Yelland	Saugerties
Lee York	Albany
Arthur Young	Brooklyn

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Marcus Arthur	Saugerties
Valerie Clement	Brooklyn
Julia Lystra Collis	Brooklyn
Aaron &	
Gwendolyn Dennis	New York
Andrea Fettinger	Johnstown
Linda Freidenberg	Buffalo
Hazel Grant	Brooklyn
Mario Henry	Flushing
Ada Hopson-Clemons	Buffalo
Dolores Jacobs	Buffalo
Arthur Johnson	Bronx
Virginia Love	Woodstock
Susan Maloy	Ithaca
Aurea Mangual	New York
Linda Menifee	Buffalo
Mamie Partee	Brooklyn
Caroline Paulsen	Tillson
John & Kathy Skelly	Heuvelton
Shirley Watts	Buffalo
Linda Wilkinson	Potsdam
William & Suzanne	Wurster
Latham	
Margaret Yelland	Saugerties

New Organization Members:

NYS PEF Retirees	Albany
SSIP New Paltz	New Paltz
Mechanicville Area	
Community Service Ctr.	Mechanicville
Gateway Community	
Industries, Inc.	Kingston
Tompkins County Office	
for the Aging	Ithaca
Essex Cty. Office for the	
Aging Advisory Council	Elizabethtown
Attentive Care of Albany	Albany
Masten Block Club	
Coalition, Inc.	Buffalo

By joining StateWide, you can have an impact on state and federal issues of importance to older New Yorkers. With your membership, you will receive *Senior Action News*, information about our annual conference, local meetings and more! Updates are available on the Web at: www.nysenior.org.



Yes! I want my experience to count.

I want to join New York StateWide Senior Action Council.

Check box:

- | | | | | |
|--|-------------------|--|-------------------------------------|----------|
| <input type="checkbox"/> Individual Membership | \$ 20/year | Check box: | <input type="checkbox"/> New Member | |
| <input type="checkbox"/> Couple Membership | \$ 25/year | <input type="checkbox"/> Renewal | | |
| <input type="checkbox"/> Lifetime Membership | \$ 150/individual | <input type="checkbox"/> Contribution | | \$ _____ |
| <input type="checkbox"/> Lifetime Membership | \$ 200/couple | <input type="checkbox"/> Rose Kryzak Legacy Fund | | \$ _____ |
| <input type="checkbox"/> Organization Membership | \$ 75/year | | | |

Name _____

Address _____

City _____ State _____ Zip _____

County _____ Affiliated Organization _____

Phone _____ E-mail _____

You can contact us at **518-436-1006**.

Please make your check payable to: **NY StateWide Senior Action Council**

Send this form to: **NY StateWide Senior Action Council, 275 State Street, Albany, NY 12210** **All dues and contributions are tax deductible.**

If there is an asterisk (*) next to your name on your mailing label, you currently owe your 2018 dues.

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If you would like a copy mailed to you, please call our office, 518-436-1006.

Upcoming Teach-in Sessions: 10:00—11:00 am

March 20: "Preparing for and Recovering from Disasters: What Older Persons and Caregivers Need to Know." **Speaker:** Kristin Devoe, Director of Public Information, NYS Division of Homeland Security and Emergency Services

April 24: Appeals of Durable Medical Equipment Coverage Decisions for Medicare Beneficiaries. **Speaker:** Representative from the Centers for Medicare and Medicaid Services Regional Office

May 22: Lyme Disease and Older Persons: Prevention, Detection and Treatment. **Speaker:** Matt Frye, PhD, NYS Integrated Pest Management Program, Cornell University

June 18: Health Services of Older Refugees. **Speaker:** Jennifer McDermott, Catholic Family Center Services to Older Refugees Program (SORP), Rochester, NY



Dial-in Number: 1-712-832-8300; Password: 6258645#



NY STATEWIDE SENIOR ACTION COUNCIL
Annual Convention **October 9-11, 2018**
Holiday Inn, Saratoga Springs, New York