New York StateWide Senior Action Council

MEMBER (1) UPDATE

Spring 2021



Your Voices Needed Now More Than Ever

As we mark one year since the COVID-19 outbreak, we reflect on how our lives have been affected. Maria Alvarez This pandemic has challenged every single system, program,

institution, relationship, and belief. It has shaken our society to the core.

Older New Yorkers have been tested the most, as we have suffered the losses of our peers, families, relatives, and friends in devastating numbers.

The institutions that should have kept us safe and healthy turned out to be the very places that caused unspeakable damage and suffering to our loved ones.

The policy makers and the media expressed shock and disbelief at the inadequacies of nursing homes, residences, and hospitals. But we know better – we've been fighting these issues for what seems to be an eternity. What could be expected from regulators who have been stripping down resources without consumer input, selling off assets to private, for profit interests, and favoring the distribution of care to communities with influence rather than to those in need.

When you read the analysis of how seniors fared in the FY 21-22 budget, you will see that there were some good things, but some things were not addressed.

These systemic deficiencies will not be corrected unless we make our voices heard **LOUDLY!** The budget may have passed, but the legislative session has just begun. We have work to do, and we need all hands on deck.

We will be fighting for issues like the New York Health Act (Single Payer), Safe Staffing Ratios, Combatting the Home Care Crisis, and the EPIC Expansion.

Please make sure your voice is heard. This is a matter of life or death.

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Medicare, Medicare Fraud & Patient's Rights Helpline 800-333-4374

Covid Relief The long-a

The long-awaited fifth COVID-19 package resulted in additional

pandemic relief to the country, while also stimulating the economy and addressing the state and local government need for aid. NYS will receive \$12.825 billion in fiscal relief, critically important to help address our projected state budget gaps. An additional \$9.948 billion will go to local governments, helping to offset costs from reduced sales taxes and closed businesses. Federal aid to local governments will reduce the impact of the pandemic economy that would otherwise have meant slashed services or an increase in local property taxpayers. School districts will also receive more funding directly from the federal government.

The \$1.9 trillion American Rescue Plan includes funding for many needed initiatives:

 Pandemic support for vaccine distribution, contact tracing, testing, personal protective equip-



ment (PPE) for frontline health workers, and funding to bolster the public health workforce.

 Funding for transit systems, rural health care providers, expanded access to mental health and substance abuse services, improves health insurance premium relief and continues to provide unemployment benefits.

- Expanding the child tax credit and reduces poverty for households with children.
 The benefits will lift 242,000 NYS children out of poverty.
- Additional relief for low-income households impacted by the pandemic economy, including assistance with rent, funeral costs, and utility bills.
- Expanding benefits such as a continuation of a 15% bump in food stamp benefits through September 30th.

The direct stimulus provides a new \$1400 payment to 82% of all adults in NY. Some glitches in previous distribution of stimulus payments have been fixed under the most recent bill, so there is an automatic benefit for those who do not file taxes but collect Social Security, SSI, railroad retirement or veterans benefits. Also, within the defined household income limits, payments are made for each household member, including children & adult dependents. Stimulus payments will not affect eligibility for federal means-tested programs like Medicaid, SSI, and SNAP.

These federal stimulus payments should have already appeared in your bank account.

If you did not receive your payment, go to www.irs.gov/coronavirus/get-my-payment to check on the status.

The Plan also invests in aging & disability services. It increases Medicaid spending on home & community-based services. Nationwide, it provides



\$1.4 billion increased funding for programs under the Older Americans Act, including:

- Supportive services
- COVID-19 vaccine outreach
- Social isolation
- Family caregiver supports
- Long-Term Care Ombudsman Program
- The Elder Justice Act
- Grants to public transit systems to improve access for older adults and people with disabilities

The law creates the National Center for Grandfamilies to provide assistance to programs that serve grandfamilies and kinship families where the primary caregiver is an adult age 55 or older or the child has one or more disabilities.



Other Issues to be Tackled

The American Rescue Plan addressed some insurance concerns regarding unaffordable premiums so that no one will pay more



than 8.5% of their income on their premium, increasing subsidies for insurance purchasers on the exchange and covering costs for those under COBRA. There is still much to do to stop provider cuts to Medicare, allow Medicare to negotiate drug costs, control drug prices, and to provide guaranteed health care to everyone as a human right. Rep. Jayapal has just reintroduced her bill, HR 1976, Improved Medicare for All. Voting rights, infrastructure, gun control, immigration and adopting a budget are all major issues ahead.



BILL TRACKER

The 2021 StateWide Bill Tracker (updated on 4/15) will let you review a broad array of New York State bills that may impact older residents.

If you have any questions, email Gail Myers at gail@nysenior.org or call 518-689-1084.

State Budget Issues

State Budget

The New York State budget was adopted April 6th, five

days after the start of the new fiscal year, with a final price tag of \$212 billion. Compared to the \$177 billion spending plan approved last Spring, there is new spending and new revenue. The budget is funded by a number of increases in revenue – due in large part to an infusion of

federal relief to the state from the American Rescue Plan combined with increased state corporate taxes and personal



income taxes for millionaires through the end of 2027, and anticipated income from newly approved sports gambling. In future years there will also be income from the legalization of adult use recreational marijuana sales.

The new spending includes an increase in school aid with a 3 year phase in of full funding, an investment in the green economy, rent relief for those impacted by the pandemic economy, a "circuit breaker" property tax relief program for homeowners who earn less than \$250,000 (about 1.3 million New Yorkers), new funding for child care to increase access and support providers, payments for workers who were excluded from federal stimulus or unemployment benefits split into 2 tiers of payment (depending on documentation/work stubs), and emergency food assistance for the elderly. Medicaid cuts

proposed by the Governor to hospitals and other providers were prevented as were cuts to public health services in NYC. The Legislature also rejected Cuomo's proposed cuts to communitybased not for profits that provide vital services, such as our own Patients' Rights Helpline.

The budget both authorized spending and created new policy.

- There is new policy on gun control that declares gun violence as a threat to public health and promotes prevention through the new Community Violence Intervention Act.
- The budget creates a \$10 million fund to combat discrimination against Asian Americans and provides additional funding for the Securing Communities Against Hate Crime Program.
- A new broadband initiative requires the state to study access to internet and wireless services within the year and, starting this summer sets a 5 year limit of \$15 per month that can be charged low-Income households for high speed internet. (Qualifying households receive SNAP or Medicaid benefits or SCRIE/ DRIE housing relief or an existing affordability benefit from a utility provider.)
- To fund environmental improvements and reduce the impact of climate change, a \$3 billion environmental bond act will be placed before voters in



2022.

INCREASED FUNDING FOR AGING SERVICES

Thanks to all of the calls made by our members and friends, the Legislature restored funding for StateWide's Patients Rights Helpline that had been proposed to be cut by the Governor!

Our program will be able to continue at the same level of funding as we received last year; clearly the message that this was not a good time to cut patients rights services was heard. Our program has been valuable to the clients served, but also informs our testimony and advocacy on the quality of care in NYS.

One of the areas we have raised is the problem

accessing services in the home. The Legislature added \$8 million to programs run by local offices for the aging to further reduce waiting lists for services. They also added a 1% cost of



living increase for staff. Another issue highlighted during the pandemic is the need for increased staffing of the local long term care ombudsman programs; the Legislature added \$250,000 funding. However, there were no new initiatives to support recruitment and retention of home care workers.

NEW FUNDING FOR HOUSING INITIATIVES

The budget created the COVID-19 Emergency Rental Assistance Program to fund 12 months' arrears for rent and utilities, three prospective months of rent, a year of eviction protection, and eligibility for renters with income up to 120% area median income (AMI), regardless of immigration status. There is additional funding for homeowner assistance, including



support for HOPP, a foreclosure prevention program. Funding was allocated to address:

- homeless shelter capacity
- to convert hotel and vacant property into affordable housing
- address blighted home rejuvenation
- provide \$200 million for NYC Housing Authority and \$125 million for public housing across New York State.

ADDRESSING THE CRISIS IN NURSING HOMES

Amazingly, the Legislature and Governor had to create a new law that ensures that nursing homes have to spend on patient care!

The pandemic crisis highlighted the already existing problem – insufficient staffing results in lower quality of care. The need to invest in staffing was partially addressed in the budget in two ways.

The first was to require nursing homes to assure the state that they were spending at least 70% of payments on patients and that at least 40% of the funds would go to direct care staff salaries. Nursing homes that fail to meet the spending will have to put the difference into the state's Nursing Home Quality Pool, which is then redistributed to highly rated nursing homes.

The health commissioner may waive these requirements if a nursing home demonstrates that it experienced exceptional circumstances that prevented compliance. This provision goes into effect January 2022. This measure is to ensure minimum spending on care, not minimum safe staffing, which is what we need.

The second effort to address staffing added \$64 million of Medicaid funding for nurse and CNA staffing. In large part this funding was provided to appease the nursing home industry's criticism of the minimum spending requirements, so they were given more money to spend.

Unfortunately, without a safe staffing standard in law, there is no assurance that the number of staff will in fact increase, or accountability that the state health inspectors will sanction facilities with substandard staffing levels.

Currently, **49%** of nursing homes in NYS earned a rating for staffing of one or two stars, which means "far below average" or "below average."

Two other new laws were adopted prior to the budget and were gaining traction in the Legislature since the August 2020 hearings. StateWide, along with many family members testified about the state's policies that prohibited visitors, calling them abusive and overly restrictive. The state's rules, designed to "protect residents from the coronavirus," resulted in neglect and harm caused by isolation and lack of care. Senator Rachel May & Assemblymember Harry Bronson led the charge

to ensure that
never again will
the state be
able to shut out
essential visitors.
Each resident

will be allowed



to designate up to two people who will be allowed to visit, regardless of any state rule to the contrary. Just prior to signing the bill into law, Governor Cuomo also eased the restrictions on visitation by following federal guidance previously released.

Another bill, championed by Assemblymember Kim and Senator Biaggi, repealed the unfair law inserted in the rush of last year's budget, that prevented lawsuits against health corporations for poor outcomes and death during the pandemic. Last summer a partial repeal was accomplished; the full repeal is now law and checks and balances have been restored that protect patients.

MOVING FORWARD TIME FOR ACTION

With budget issues settled, it's time for more state legislative action to address inequalities in the delivery of care and problems accessing care. StateWide is developing action plans to engage our members, friends and legislators in the urgent need to recruit and retain home care workers, ensure safe minimum staffing in hospitals & nursing homes, expand the Elderly Pharmaceutical Insurance Coverage Program (EPIC) and adopt improved Medicare for all – the New York Health Act.

Please take a moment to call your state Assemblymember and State Senator to ask them to sign on as sponsors to help these bills become law.

- 1. **Call YOUR State Assemblymember,** 518-455-4100 ask to be connected to your Assemblymember's office (you must give their name.)
- 2. **Call YOUR State Senator,** 518-455-2800 ask to be connected to your Senator's office (you must give their name.)

To look up who represents you in the Assembly, call your County Board of Elections, or use this link:

https://nyassembly.gov/mem/search/

To look up who represents you in the Senate, call your County Board of Elections, or use this link:

https://www.nysenate.gov/registration/nojs/form/start/find-my-senator

BILL'S PURPOSE	SENATE BILL#	ASSEMBLY BILL #
EPIC expansion to people on Medicare who are under 65, making it easier for all to apply, improving the income limits for the fee plan & reducing the deductible plan costs	S4603 by Senator May	A5422 by Assembly member Kim
Ensuring minimum nurse to patient ratios in hospital care and mandating at least 4.1 hours of care from nurses and aides in nursing homes	S1168 by Senator Rivera	A108 by Assembly member Gunther
New York Health Act to provide coverage from birth to death for all without copayments, premiums or out of pocket costs, including vision, hearing, dental & long term care	S5474 by Senator Rivera	A6058 by Assembly member Gottfried
Fair Pay for Home Care will raise the minimum hourly pay for home care workers to 150% of the regional minimum wage.	S5374 by Senator May	A6329 by Assembly member Gottfried

Medicare, Medicare Fraud & Patient's Rights Helpline 800-333-4374

What is the difference between a Wellness visit and a Welcome to Medicare preventive visit?

Medicare pays 100% of your "Welcome to Medicare" Preventive Visit once within the first 12 months that you have Medicare Part B.



Once you have been enrolled in Medicare, you are entitled to an Annual Wellness Exam (AWV) once every 12 months after your first full year of Medicare Part B enrollment. Medicare pays 100% if your doctor or other qualified healthcare provider accepts assignment. Accepts assignments means that your provider has agreed to accept a Medicare approved amount as full payment for services covered by Medicare.

A Wellness visit is not a full Physical examination and Medicare does not cover complete physicals. These visits are to develop or update a personalized prevention plan to help prevent disease and disability, based on your current health and risk factors. Your provider may also perform a cognitive impairment assessment.

Will I ever need to pay?

You may have to pay coinsurance and/or the Part B deductible may apply if:

- Your doctor or other health care provider performs additional tests or services during the same visit.
- These additional tests or services aren't covered under the preventive benefits.

During the course of your AWV, your provider may discover and need to investigate or treat a new or existing problem. This additional care is considered diagnostic, meaning your provider is treating you because of certain symptoms or risk factors. Medicare may bill you for any diagnostic care you receive during a preventive visit.

If you qualify, Original Medicare covers the Annual Wellness Visit at 100% of the Medicareapproved amount when you receive the service from a participating provider. This means you pay nothing (no deductible or coinsurance).

Medicare Advantage Plans are required to cover AWVs without applying deductibles, copayments, or coinsurance when you see an in-network provider and meet Medicare's eligibility requirements for the service.

Be aware that facilities may charge a separate SITE fee. Ask your provider & insurance about this prior to your visit.

Am I Eligible?

Medicare Part B covers the Annual Wellness Visit if:

- You have had Part B for over 12 months
- You have not received an AWV in the past 12 months

Additionally, you cannot receive your Annual Wellness Visit within the same year as your Welcome to Medicare preventive visit.

What is a cognitive impairment assessment?



The cognitive impairment assessment is performed to look for signs of Alzheimer's disease or dementia and check for depression and other mood disorders. Your provider may

order other tests, if necessary, depending on your general health and medical history.

What is a prevention plan?

The personalized prevention plan is designed to help prevent disease and disability based on your current health and risk factors. Your provider will ask you to fill out a questionnaire, called a "Health Risk Assessment," as part of this visit. Answering these questions can help you and your provider develop a personalized prevention plan to help you stay healthy and get the most out of your visit. It can also include:

- A review of your medical and family history.
- Developing or updating a list of current providers and prescriptions.
- Height, weight, blood pressure, and other routine measurements.
- Detection of any cognitive impairment.
- Personalized health advice.
- A list of risk factors and treatment options for you.
- A screening schedule (like a checklist) for appropriate preventive services.

Note: Not all screens are covered every year.

Advance care planning

The Annual Wellness Visit (AWV) is a yearly appointment with your primary care provider (PCP) to create or update a personalized prevention plan.

- This plan may help prevent illness based on your current health and risk factors.
- The AWV is not a head-to-toe physical.
- This service is similar to but separate from the one-time Welcome to Medicare preventive visit.

UPCOMING TEACH INS

APR 27, 10 AM: An Update on Mental Health and Substance Abuse Problems Among the Older Population



To register for the April ZOOM Webinar event virtually, visit www.nysenior.org

To connect via phone: 646-558-8656,

Webinar ID: 889 1554 8167#

SAVE THE DATES

MAY 25, 10 AM: Medical Malpractice

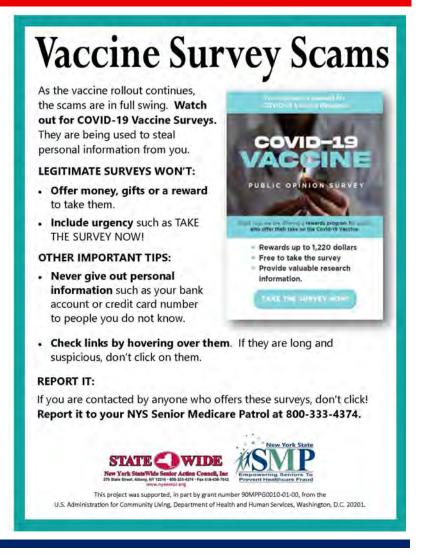
Litigation Process in NYS

JUNE 22, 10 AM: Important Patient Rights and Protections from the Federal Office for Civil Rights

If you missed one of our teach-ins, we record all of our meetings. Visit our website at www.nysenior.org to view past recordings.

Senior Medicare Patrol (SMP) Volunteer Judith Aldrich Reporting Fraud from the North Country

Judith was the first SMP volunteer to report about the COVID-19 Vaccine Survey. Once we investigated, we realized there are no legitimate surveys for the COVID-19 vaccine. The StateWide team developed a flyer that ended up on the Niagara County Sheriff's FB page - and then it took off from there! The flyer was then posted in a news story on WGRZ.com, WIBV.com & MSN.com., reaching over 3 million people! People across the country are receiving emails and texts, asking them to complete a limited-time survey about the Pfizer, Moderna, or AstraZeneca vaccine. In exchange, people are offered a free reward but asked to pay shipping fees. If you get an email or text like this, STOP. It's a scam.





SMP Volunteer Jean Stone Reporting Fraud from NYC.

- Jean received BIDEN CARE emails from an agency that is NOT a legitimate Medicare licensed contractor. Do not click on any links to review plans, it is a scam.
- She also received phone calls and text messages about her
 Medicare Part A and B coverage a representative asks to
 "review plans". Don't pick up the phone or reply to these texts,
 they are scammers trying to steal your personal information.

Thank you to our volunteers who are busy reporting on scams in their community. If you are interested in becoming a member of the Senior Medicare Patrol, call **800-333-4374**.

This project was supported, in part by grant number 90MPPG0010-01-00, from the U.S. Administration for Community Living, Department of Health and Human Services, Washington, D.C. 20201

CENTRAL NEW YORK: Health Access Initiative

StateWide, along with 2-1-1, the library system, and our local partners is proud to pioneer a telehealth access initiative offering Wi-Fi access at community sites throughout eight counties in Central New York.

Our CNY Health Task Force members identified the lack of broadband internet connection as a significant barrier to health care. Although this digital gap has existed all along, the pandemic has shifted face to face medical visits to video conferencing highlighting the lack of internet accessibility in our rural and underserved areas.

Now, CNY residents needing internet access for a telehealth visit with their doctor or therapy provider, will be able to call 2-1-1 or visit StateWide's website to locate the nearest telehealth access site in their neighborhood. This project, which officially launched on March 15, 2021, kicked off with libraries and will expand to local organizations to create additional telehealth access sites throughout the region.

The Central New York Health Task Force is funded through a grant from the Western & Central NY Health Foundation.

Want to learn more about important health topics chosen by community members in NYS?



Check your **weekly email round-up**, visit our website at **nysenior.org** or call **800-333-4374** for more information about our **MONTHLY WEBINARS.**



Partners from Tompkins County ready to get the news out about telehealth access in libraries to the communities.

Pictured (L-R): Frankie Santelli, Catholic Charities volunteer & Michaela Cortright, Deputy Director of Catholic Charities Tompkins County & Director of Samaritan Center



Access to Independence of Cortland, NY will be joining the telehealth access initiative as our first indoor, agency-run access site!

Pictured (L-R): Stefania Buta, CNY Task Force Organizer & Aaron Baier, Executive Director of Access to Independence & Cortland County Task Force member.



StateWide Executive Director Maria Alvarez & Board President Mario Henry joined Senator Gillibrand to announce a package of three bills to help reduce the cost of prescription drugs, and help ensure that everyone can access the medicine they need.

"We applaud Senator Gillibrand for her efforts in correcting a deficiency that has long been criticized in the Medicare Prescription Drug, Improvement, and Modernization Act enacted in 2003 which, among other things, permitted pharmaceutical companies to set their own rates and banning the US Health and Human Services Administration from seeking the best price for prescription drugs for Medicare Beneficiaries." - Mario Henry, Board President

NYS Attorney General Letitia James joins StateWide for a Special March Teach in

We were happy to invite AG James and Assistant AG Gary Brown back to discuss the important topics affecting seniors and their families. Including:

- cyber security
- prescription drug pricing
- immigrant rights
- workforce rights
- opioid crisis and more



Pictured (clockwise, L to R): Maria Alvarez, StateWide Executive Director; Gary Brown, Assistant Attorney General; Letitia James, Attorney General; Marcus Harazin, StateWide Patients' Advocates Program Coordinator

If you would like to view the session recording, visit our website at nysenior.org.



A NATIONAL DAY OF REMEMBERANCE

Honoring Nursing Homes Lives Lost

THURSDAY, MAY 20 5:00 - 6:00 PM ET



A national online event to honor more than 174,000 nursing homes lives lost to COVID-19

Program highlights include:

- Shared testimonials
- Reflections by spiritual leaders
- Musical tributes
- Statements by elected officials

For more information call 800-333-4374

Sponsored By:







New Individual Members: Obong Akpan Brooklyn Vanderbilt Brabson **Bronx** Gary Calarco East Amherst Ellen Coletto Brooklyn Timothy & Laurie Cornwell Moravia Daniel & Kera Cornwell Wayland Leslie Dykeman Albany **David Fielding** Long Beach Ancilla & Crispin Friday Brooklyn Thomas Garippa Little Neck New York Mark Hannay Halema Hassan New Paltz Buffalo Maria Lynch Benjamin & Veronica Buffalo McCullough Bill McDonald Rochester **David Nelson** Tonawanda Walcott Pemberton Brooklyn Alan Pfeffer Glenmont Clara Simon Delmar

New Lifetime Members:

Ellen B Brickman	Albany
Cynthia Eaton	Buffalo
Stuart Eber	Bronx
Karen Miller	Kingston
Claire and Larry	

Kingston

Kryzak Fund Contributors:

O'Brien

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Maria Alvarez	Astoria
Charlie Battaglia	Hamburg
Patricia Binzer	Albany
James Collins	Cleveland
Ann Converso	Lawtons
Mary Degon	Malone
Carol Dunn	Brick, NJ
Helen Edelstein	Rhinebeck
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Kathlene Lyman	Alplaus

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Tim Fitzmaurice	
& Kelly McMullen	Germantown
Jesus Morales	Bronx
Sharon Murray-Cohen	Kingston
Claire & Larry O'Brien	Kingston
Elvira O'Garro	New York
Diane Adele Pomeroy	Sp. Valley
Orpah Posley	New York
Patricia Prince	Albany
Helen Sanders	Buffalo
Ruth Shepard	East Amherst
Doris Smith	Moravia

New Organization Members:

Ronald Fatoullah & Associates Great Neck





Jacqueline D. Thompson Buffalo

You may wish to have your contribution to NY StateWide Senior Action Council serve as a gift honoring someone or in memory of someone.

IN MEMORY OF	Contributor	IN MEMORY OF	<u>Contributor</u>
Dolores Jacobs	Maria Alvarez	Mark Roman	Sigilfredo Roman
Eugene Jones	Mary Jones	Joe Sears	Marjorie Hallenbeck-Sears
Helene MacPherson	Gail Myers	Mary A. Sherman	James & Bernadette Sherman
Melvin Pannell	Ruth Pannell	Betty Smith	Maria Alvarez
Addie Savadge	Leola Phillips	Dr. Ed Swire	Maria Alvarez
Emma Lee Adams			
Gilliam	Orpah Posley	IN HONOR OF	Contributor
Richard Robinson	Peg & Pat Corbett	Susan Beckley	Carolyn Kenyon

15 Donations

HELP STRENGTHEN OUR MOVEMENT



- Encourage your family and friends to join. We are building our movement and anyone over the age of 18 can become a member.
- > Participate in our activities & services our helplines, call-ins, chapter meetings, come to the Convention.
- If you do not have a chapter in your county, help us organize!
- Please consider making a tax-deductible donation to our Rose Kryzak Legacy
 Fund - for our advocacy and lobbying efforts.

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Yes! I want my experience to count.

if there is an asterisk on your mailing label your 2021 dues are due.

Check box:		Check box:
☐ Individual Membership	\$ 20/year	☐ New Member ☐ Renewal
□ Couple Membership□ Lifetime Membership□ Lifetime Membership□ Organization Membership	\$ 150/individual	Contributions ☐ Rose Kryzak Legacy Fund \$ ☐ In Honor of \$ ☐ In Memory of \$ Name of person (in honor or in memory of):
Name		
Address		
City	State	Zip
County	Affi	liated Organization
Phone	E-m	nail

You can contact us at **518-436-1006.** Please make your check payable to: **NY StateWide Senior Action Council** Send this form to: **Gail Myers,** 46 Commonwealth Dr., Glenmont, NY 12077. **All dues and contributions are tax deductible.**



New York StateWide Senior Action Council, Inc. 275 State Street, Albany, NY 12210 • (518) 436-1006 • Fax (518) 436-7642 www.nysenior.org

Our State Bill Tracker has been recently updated and posted to our website **www.nysenior.org**If you would like a copy mailed to you, please call our office.

2021 VIRTUAL CONVENTION

Save the Dates - Oct 12-14

NY StateWide Senior Action Council announces their 2021 Annual Convention on October 12-14!

Due to continued travel & congregation limitations related to the COVID-19 pandemic, the convention will once again take place virtually using ZOOM. You will be able to access the convention by computer, smartphone or landline phone.

We are very excited to gather our community virtually again this year. Stay tuned for more information in the coming months.

