New York StateWide Senior Action Council MENBER OUPDATE



Celebrating 50 Years of Grassroots Excellence! In Person!

This year marks 50 years since New York StateWide Senior Action Council was founded.

During this year we certainly want to celebrate our tremendous accomplishments of the past half century. More importantly, we want to ensure that we use these lessons as a platform to further our mission of improving the lives of NY state's senior citizens & families in the future. In addition to our StateWide Legislative Action Team training, regular teach-ins, chapter meetings, and Health Care, Patients' Rights and Fraud Prevention Helplines, <u>this year we are</u> <u>hoping to celebrate our 50 Years *in person* in <u>Saratoga Springs!</u></u>

We will look forward to receiving our members and friends once again, after 2 years of having to stay safe at home, at our convention that includes:

- a special 50th Anniversary Gala Celebration;
- workshops, presentations, and, of course, voting on our state and federal legislative agendas.

In addition, this year is the StateWide Board of Directors' election year where the membership will vote for our new Executive Board.

StateWide's 50th Anniversary

Convention in Saratoga Springs!

Monday, September 12 to Wednesday, September 14

Of course, if for some unforeseen reason we are not able to meet in person, we will still hold an on-line convention as we have done during the past 2 years.

Please contact our office or your chapter president for more information. We look forward to seeing you in Saratoga Springs!

SEE PAGE 7

YOUR HELP IS NEEDED TO STOP A STATE BUDGET CUT TO STATEWIDE'S PATIENT RIGHTS HELPLINE.

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It's Budget Season in Albany – What Will That Bring for Older New Yorkers?

The NYS Office for the Aging will be expanding its staff and its services if the Governor's budget proposal goes forward, as expected. Included is a new initiative that *StateWide* advocated for: Establishing a State Master Plan for Aging.

This process will build a comprehensive roadmap for meeting the needs of aging New Yorkers, by coordinating all State policy and programs that impact older residents. The goal is to create a plan that ensures independence to age in place for as long as possible.

We are pleased to announce that *StateWide* Executive Director Maria Alvarez has been appointed to serve on the steering committee and will bring the consumer voice to the forefront of discussions.

During the pandemic, a large infusion of federal funds addressed the surge in need and made sure that home delivered meals were available for isolating older residents. The Governor has proposed to continue resources for the COVID Emergency Home Food Delivery Program and also makes new money available to combat social isolation through virtual programming and also to improve internet access.

The Governor proposes to fund efforts delivered by the local office for aging to address waiting lists at the same level as last year. Many advocates are calling for an increase in funds to address unmet need. As the aging population continues to grow, more people will become eligible for services and the services must expand to address this anticipated need.

Health Care Workforce

The Governor pledges to grow the healthcare workforce by 20% over the next five years through a number of proposals, including:

- expanded healthcare training;
- loan forgiveness programs for doctors and nurses; and
- one-time cash bonuses for health care workers.

The proposed frontline healthcare worker bonus program is designed to provide a one-time recruitment and retention reward to workers earning up to \$100,000 annually. The bonuses will range from \$500 to \$3,000 depending on hours worked.

The Governor expects to have Congress deliver on the long-stalled promise of increased funds for home and community based services, but does not have a proposal to increase income for home care workers in a meaningful and permanent basis.

The Governor's budget does increase Medicaid provider payments by eliminating an across the board 1.5% cut instituted last year to address a state budget gap. The budget also adds a 1% increase in the upcoming year with an expectation, but not a mandate, that the rate increase will allow the employers to invest in better wages.

Long Term Care

Additional money for nursing homes is included to fund the minimum staffing mandate of 3.5 hours of resident care per day, enacted in 2021. The Governor has temporarily delayed enforcement of the new law; it is expected that after the budget is adopted the delay will end. It is critically important that safe staffing in hospitals & nursing homes be enforced; not only does it promote quality of care, but it also stems the tide of health care workers quitting due to untenable and unsafe workloads. To ensure appropriate enforcement, the Department of Health must have sufficient oversight staff in place.

Long Term Care Ombudsman

To ensure compliance with quality of care in long term care settings, adequate funding is needed for ombudsman staff in the regional



programs. Even before the pandemic related crisis in care, there were too few staff to have a resident advocate presence in every facility. The Office for Aging budget includes \$150,000 to be used as a volunteer stipend retention tool, but this pot of money can also be used for the Health Insurance Information and Counseling Program. While no resources are dedicated to increasing the paid staff, there is more than \$1.5 million funding in the Department of Health budget to implement the long-term care ombudsman program reform act which includes an awareness program to promote the Long-Term Care Ombudsman Program. There was an infusion of federal COVID relief money for the ombudsman program but how that money was spent was not available.

Long Term Care Reforms



StateWide supports efforts to reduce barriers to the redesign of nursing homes toward small house models with resident centered care and ongoing care

from the same staff. We are pleased to note the Governor's proposal to invest \$50 million to support implementation of the Green House nursing home initiative – an innovative care model.

We support expansion of a coordinated community-based long term care service, Programs of All-Inclusive Care for the Elderly (PACE). This model provides coordinated longterm care services for those age 55 and older, who require nursing home level of care, but are able to live safely in a community setting. The Governor proposes to streamline licensure and application processes to encourage more organizations to provide PACE in NYS.

We do not support the Governor's proposal to allow nursing home aides to administer some medications. There are already too many residents assigned to each aide; expanding their duties is not warranted and would decrease the quality of care. Current law requires a licensed nurse to be at the bedside to administer drugs, and studies of quality care indicators find that the more time a nurse spends with a resident the better the outcome. Increasing the responsibilities of the aide is not a career ladder for aides, even if it might increase their salaries with the additional burden.

Medicaid

BUDGETING

In 2011 a budgeting mechanism was created to control spending growth in the Medicaid program, known as the Global Cap.

- 1. It DOES NOT allow the program to grow in response to the needs of New Yorkers.
- 2. It DOES NOT have transparency in its reports on spending.
- It DOES allow the Commissioner of Health to make cuts without public or Legislative input.

The Cap has been used as an excuse for austerity budgeting, and has recently resulted in cuts to home care benefits. We have called for its repeal. Instead, the Governor proposed to adjust the calculation of the rate of growth.

BENEFITS

We are delighted to see the Governor will expand the income level and remove the resource test for Medicaid applicants who are also enrolled in Medicare. (See box page 7).



In addition to being thankful for this expansion, we are pleased that there are few proposed benefit cuts to the Medicaid program. We are delighted that the decades long threat to reduce spousal impoverishment protections is not being considered. We are opposed to a proposal to remove the authority of the prescriber to overcome restrictions on which drug will be covered for a patient.

MANAGED CARE REFORM



StateWide is reviewing a new proposal that would potentially disrupt continuity of care by making all Medicaid Managed Care insurers

competitively bid every five years to be part of the program, starting in October 2023.

The proposal would reduce the number of Medicaid Managed Care companies doing business, projecting only between 2-5 companies awarded in each county. There can be gains achieved in changing the contracting process to focus on quality outcomes, provider capacity – including home care, accessibility, as well as cultural and language competencies to meet the needs of enrollees. *StateWide* will monitor this debate.

Housing



NYS is in the final stage of a five-year plan to invest in affordable and supportive housing. The Governor proposes to continue

the investment with a new five-year housing plan. To expand affordable housing availability for older New Yorkers with the services they need to live independently, the proposal aims to create affordable and permanent supportive housing units for seniors who might otherwise need to reside in a nursing home or other institutional setting. To keep pace with this need as the state's population ages, capital funding will provide for the construction/rehabilitation of both senior supportive housing units and an increased number of affordable senior housing units.

Internet Access

The Governor proposes further investment toward all New Yorkers having affordable, reliable broadband statewide. Additionally, funding is included in the Office for Aging budget to assist older residents to gain internet access and be able to utilize social isolation reduction on-line tools.

Environment



The Budget expects the "Clean
 Water, Clean Air and Green Jobs
 Bond Act" on the ballot this fall
 will be adopted and proposes an additional \$1billion investment to

address flooding, land conservation, climate change mitigation, and water quality improvement. In addition, the Governor proposes:

- Building code changes to achieve greater energy and water efficiency and require zero onsite greenhouse gas emissions at new construction by 2027.
- Extending the Waste Tire Recycling Program.
- Eliminating the use of hazardous materials in food packaging.
- Requiring an applicant for gas service to pay the costs to connect to the gas distribution system no matter the customer's distance from the system.

Good Government Proposals

Voting – The Governor has already authorized the use of "no excuse needed" absentee ballots in this year's elections. The budget would allow voter

registration up to 10 days prior to an election, rather than the current 20 days.

Ethics Reform – The Governor proposes to disband the Joint Commission on Public Ethics and replace it with an independent panel to enforce the State's ethics laws.

Term Limits - The Governor proposes a new Constitutional Amendment to limit the statewide office holders, (Governor, Lieutenant Governor, Comptroller, and Attorney General) to two consecutive terms.

Suicide Hotline – The budget proposes a call "988" suicide prevention and behavioral health crisis hotline to connect individuals experiencing a behavioral health crisis to community resources.

Taxes



The Governor has proposed to put more money back into the wallets of middle-income New Yorkers. She does this in two ways:

- By speeding up the phase-in of the middleincome tax cut first launched in 2018. It was scheduled to be completed by 2025 and the Governor proposes that the lower tax rates will be completely phased in by 2023, expected to provide a financial boost to 6.1 million New Yorkers.
- By providing a Homeowner Tax Rebate Credit to low- & middle-income homeowners throughout the state with a one-time rebate on or before October 31, to offset property taxes. Basic STAR beneficiaries with incomes

Taxes (cont.)

below \$250,000 and Enhanced STAR recipients are eligible for the property tax rebate.

Enhanced STAR is for homeowners

- who are over 65 years of age
- with a combined household income of \$90,550 or less for 2021 or \$92,000 or less for 2022.

The new benefit is projected to:

- Help 2 million households outside of New York City, with an average benefit of \$970.
- For New York City property taxpayers, the benefit will likely impact about ½ million households with an average benefit of about \$425.
- For homeowners with income below \$75,000, the proposed credit is estimated at nearly \$1,050, benefiting an estimated 837,800 recipients.

How Does it All Get Paid For?



The state has a surplus of funds, in part from the infusion of federal dollars to address the pandemic

economy and partly due to multi-year increases in taxes on the uber-wealthy adopted in 2021. The Governor invests some of that surplus in a "rainy day fund" and has projected a budget that does not impose a deficit in future years. As a result, there are some needed permanent expenditures, such as a commitment for ongoing health care worker salary increases that are not proposed.

What's Not Included in the Budget?

StateWide was disappointed that some initiatives we support have not been included in the proposed budget.



- Elderly Pharmaceutical Assistance Program (EPIC) – StateWide has proposed legislation S4603/A5422, to allow Medicare enrollees under age 65 to apply, make the application process easier for all, and increase program transparency.
- Medicare Savings Program (MSP) income limits – *StateWide* has long urged the expansion of income eligibility for MSP to help lift more Medicare enrollees out of poverty by providing assistance with Part B premiums and enrollment in Extra Help with drug coverage. A new bill, S8228/A9245, would help 100,000 more New Yorkers, by increasing eligibility to 156% FPL rather than the current limit of 135%. This would make those eligible with incomes up to \$20,093 (\$27,176 for a couple) to qualify, an improvement over current limits of \$17,388 (\$23,520 for a couple.)
- Fair Pay for Home Care S5374/A6329 would ensure home care workers are paid at a rate that is at least 150% of the regional minimum wage.
- New York Health Act S5474/A6058 would save the state and local governments money while improving coverage for all New Yorkers through a single payer health care system, removing commercial insurers and putting patients before profits.

Advocacy Works! State Budget to Expand Medicaid Income Eligibility for Medicare Enrollees

StateWide counselors had heard from clients who were stressed because they lost their Medicaid coverage once they aged into Medicare eligibility. For those who had received home care services, they faced a crisis in care as well as an increase in out of pocket costs for insurance coverage.

This also happened to younger people who became eligible for Medicare due to disability. This happened because a different, more generous income limit is in place for people who enrolled in Medicaid under the Affordable Care Act expansion. Also, this group of Medicaid enrollees does not have a resource test. This does not apply to Medicaid applicants with Medicare coverage.

The problem was abated for a time, due to the pandemic declared public health emergency (PHE) no Medicaid enrollee could lose their benefits. With the PHE soon drawing to a close, all Medicaid enrollees will need to recertify. Those with Medicare could lose Medicaid. Along with other advocates, spearheaded by *Medicaid Matters New York*, the Governor was convinced to end this two-tiered eligibility standard through the budget process.

We expect, starting January 1, 2023, this discrimination against Medicare enrollees will end and will be a relief for almost 200,000 New Yorkers!

Type of Beneficiary	Income Level	Resource Test	
In 2022: Medicaid population that does not qualify for Medicare	138% Federal Poverty Level (FPL) \$1563 /month single \$2105 /month couple	NONE	
In 2022: Medicaid population that is enrolled in Medicare	87% FPL \$ 934 /month single \$1367 /month couple	\$16,800 single \$24,600 couple	
In 2023: No difference, everyone will be treated the same	138% FPL	NONE	

ACTION ALERT

Our Patients' Rights Helpline Needs State Funding, Call Your Legislator Today!

Our Patients' Rights Hotline faces a budget cut. This is because the Governor has proposed funding of only \$31,500 for the program and in the past, the Legislature has added \$200,000 funding for our services. They can do that again before April 1, but need to hear from their constituents that this program is important.

Please make two calls to restore our funding!

- Call your State Senators at 518-455-2800 and Assembly members at 518-455-4100.
- Message: My Name is _____ and I am a constituent who supports funding for NY StateWide Senior Action Council's Patients Rights Helpline. It educates and empowers seniors to uphold our health care consumer rights. Funding for this service is drastically cut under the Aging budget. Please restore funding with a \$200,000 Legislative appropriation to keep this vital service in place.

Federal Budget

Is Congress at Another Impasse?



In our last report, we shared our hopes for Congressional action on the Build Back Better bill that would have (among many other things) limited out

of pocket insulin costs for all Americans, provided funds to recruit and retain home care workers, expanded Medicare benefits to include hearing aids, and begin to allow Medicare to negotiate drug costs with manufacturers.

While the bill passed the House of Representatives, it remains stalled in the US Senate, where 60 votes are required to pass it. Thus far, the Senate does not have those votes & negotiators may start to discuss which parts of the bill can advance to clear the Senate.



Congress then prioritized passage of voting rights legislation to ensure equal access to the ballot box for all registered voters. That has also stalled as bi-partisan support is

sought but is not forthcoming. Meanwhile, states throughout the Country are enacting legislation, some making it harder to vote and some upholding voting rights. As an example, in New York, a new bill was signed into law once again allowing the right to vote with an absentee ballot to avoid public gatherings at the polls in the era of the COVID pandemic.

States are also crafting redistricting laws, required every decade following the Census, to determine the district boundaries in the House of Representatives, state Assembly and state Senate. New York has just completed that work and while having lost one Congressional seat, the new district maps reflect the population shifts and will create additional state Senate seats in New York City.



Next up for Congress is wrestling with the federal budget. Currently, the government has avoided a shut down due to failure to adopt a budget for the current

federal fiscal year that started October 1. Congress has adopted continuing resolutions that allow funding to continue, but at the prior year's levels.

As we go to press, it is expected that another continuing resolution will have been passed on February 17th. New budget priorities, such as enhanced funding for the Administration on Community Living which funds states' implementation of the Older Americans Act, can not be included until there are specific appropriations bills to enact a budget.

SIGN UP FOR OUR WEEKLY EMAILS



Each week we send an email blast with the latest news of importance to older New Yorkers.

If you have an email address and have not received these emails, please let us know so we can update our records.

Email **info@nysenior.org** and ask to be added to the mailing list.

Funeral Consumer News

What You Need to Know:

Arranging Your Funeral in Accordance with The Ritual of Roman Catholic Order of Christian Funerals

There are two universal human experiences: birth and death. While you can't plan your entry into the world, you can choose and prepare for the send-off you'll receive when you depart.

Throughout 2021, a new funeral planning product was introduced in New York State. Actively promoted by Catholic dioceses and cemeteries, the Catholic Funeral Plan claims to be able to guarantee one receives a Catholic Funeral Mass, Vigil service, and Rite of Committal as prescribed in the **Order of Christian Funerals**. The New York State Funeral Directors Association (NYSFDA), working with and through our members, is committed to providing the best and most accurate information when it comes to arranging your funeral in accordance with your faith.

Understanding religion and faith play an important and deeply personal role in both life and death, licensed Funeral Directors (LFDs) are the professionals best equipped to work with you in arranging your funeral. If you're looking to receive services as prescribed in the **Order of Christian Funerals**, consider the following:

 The ONLY way to ensure you receive a Catholic Funeral Mass is to make arrangements with an LFD as they have authority to make said arrangements or supervise funeral services. By meeting first with an LFD, you'll have the opportunity to execute legal documents detailing your personal and specific selections for the funeral service that most closely meets your religious and spiritual preferences.

- By preplanning your funeral services with an LFD, your wishes for any of the three parts prescribed by the Roman Catholic Church in the Order of Christian Funerals will be clearly outlined. Plus, LFDs are trained, experienced, and obligated by law to carry out your desired end-of-life plan.
- Preplanning your funeral services with an LFD provides peace of mind for your family. By outlining your wishes for a Catholic Funeral Mass, Vigil service, and Rite of Committal, your family will be relieved of the burden of making those decisions and have no doubts as to your wishes.
- From the beginning, an LFD will serve in two capacities: your adviser, explaining all your options and coordinating services with the Church and cemetery of your choosing, and your advocate, ensuring your wishes are carried through at the time of your death.
- For more information and a list of NYSFDA member firms in your area, visit <u>https://</u> my.nysfda.org/catholicfuneral.

This message is presented to you by the NYS Funeral Directors Association, Inc.



New Individual Members:

Donn Avalone	Highland Park
Michael Yonchenko	
& Lea Bergen	Rhinebeck
Francoise Dunefsky	Port Ewen
Lynda Edmundsun	Shokan
Cori Gambini	Buffalo
John & Hazel Hamilton	Brooklyn
Mark Hildebrandt	Saugerties
Verna Holmes	Brooklyn
Maureen Huben	Woodstock
Jill Isaacs	Montebello
Mitzi Jones	Ithaca
Ida Katims	Kingston
Donna Kopf	Woodstock
Terri Legierski	West Seneca
Steven Cook	
& Christine Marmo	New Paltz
Dick & Joy Martin Moore	Saugerties
Mimi Pagilaro	Lake Katrine
Richard Zipp	
& Lynn Pampel	Red Hook
Rita Sherry	Kingston
Norma Tarver	Williamsville
Lois Traub	New York
Steve Walling	Germantown
Donna Warriner	Massena

Kryzak Fund Contributors:

Rhinebeck

Manhattan

Brooklyn

Kingston

Clifton Park New York Glenmont

Saratoga Sp.

Germantown Potsdam

Ithaca

Forest Hills

Ithaca

Delmar

Helen Edelstein
Marcus Harazin
Jack Kupferman
Suzanne Mattei
Benn Nadelman
Claire & Larry O'Brien
Bob O'Connell
Elvira O'Garro
Alan Pfeffer
Barbara Thomas
Tim Fitzmaurice
& Kelly McMullen
Linda Wilkinson
Kathy Yen
Lucy & Richard Zaslow

New Lifetime Members:

James Lint	Lawtons
Virginia Martino	
& Steve Rabinowitz	Brooklyn
Michelle Rogers	Saratoga Sp.
New Organization	Member:
Fratello Law	Smithtown

Thank you for joining our campaign, in honor of StateWide's 50th Anniversary!

If you would like to make a donation to our 50th Anniversary Campaign, mail us a check or money order payable to NY StateWide Senior Action Council, c/o Gail Myers, 46 Commonwealth Dr., Glenmont NY 12077

Isilma Alleyne Sophia Banks Charlie Battaglia Vanessa Birmingham Bruno & Marie Bruni Michael Burgess **Elizabeth Campbell** Ann Converso Peg & Pat Corbett Carolyn Crawmer Mary Degon Gail DeMarco Suleika Cabrera Drinane Stuart Eber Helen Edelstein Peg Graham Lowell Green Sharon Green Mario Henry Joel Herbst Marv Ann & Mark Hildebrandt Rosa Jackson Judith Jones Theresa Kuch

Brooklyn **Buffalo** Hamburg **Buffalo** Westfield Delmar Lewiston Lawtons Rome **Clifton Park** Malone Rensselaer Brooklyn Bronx Rhinebeck Manhattan Bronx Brooklyn Flushing **Rego Park** Saugerties Yonkers Ithaca Cortlandt

William Lane Homer Alplaus Kathy Lyman Parishville Barbara McBurnie Beniamin & Veronica McCullough **Buffalo** Jesus Morales Bronx Henry & Mary Moss Bronx Susan Motherall Ithaca **Buffalo** Andrea Mujahid-Moore Claire & Larry O'Brien Kingston **Ruth Pannell** Brooklyn Shirley Pickney Glen Cove **Yvonne Plummer** E. Elmhurst Manhattan Orpah Posley Sigilfredo Roman Bronx **Helen Sanders Buffalo** Kathleen & Herb Sanders Albany Dee Sarno Saratoga **Bethany Smith** Duanesburg Ettie Smith **Buffalo** StateWide Saratoga Chapter Saratoga Sp. **Kim Swire** Jacqueline Thompson Daniel Washburn

Clifton Park Buffalo Ogdensburg

In Memoriam

The energy and spirit of our active members who passed will carry us into our next fifty years.

Contributor

Manor

Virginia Love Gail Myers Maria Alvarez Mary Jones Pricilla Bassett Esther Grennell Elvira and Jay Hoffman Leslie Sierra

In Memory of

Benjamin Eugene Carter Frank Clark Ella Gordon **Eugene** Jones Rose Kryzak Henry Mainville Ralph Myers Pedro Sierra

YOUR DUES ARE DUE IF THER ASTERISK* ON YOUR MAILING		e ck box: New Member □ Renewal □ Gift of 1	Membership*
	*Gi	fted by	
 Couple Membership Lifetime Membership Lifetime Membership Organization Membership 	\$ 20/yr \$ 25/yr \$ 150/ind. \$ 200/couple \$ 75/yr	Contributions Rose Kryzak Legacy Fund In Honor of	\$ \$ \$ \$
Name(s)			
Address			
City	State	Zip County	
Affiliated Organization			
Phone		E-mail	
You can contact us at 518-436-10			

All dues and contributions are tax deductible

STATEWIDE-ON THE MOVE



The state budget process begins with the Governor's proposed budget, followed by legislative hearings. Commissioners and advocacy groups testify to explain provisions, respond to questions and urge legislators to negotiate improvements. Since the Aging budget is considered as part of the Human Services grouping, StateWide testified at that hearing on February 2. We called for a bigger investment to address unmet needs:

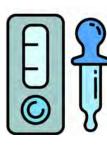
- Expansion of the EPIC program
- Expanding the income limits for the Medicare Savings Program
- Funding for our Patients' Rights Helpline

We also monitored the Department of Health hearing on February 8th.





BE ON THE LOOKOUT FOR FAKE COVID-19 TESTING SITES AND AT-HOME KITS



Scammers are selling fake, unauthorized at-home COVID-19 test kits and setting up fraudulent test sites in an effort to get your personal, financial, or medical information.

- Make sure to purchase FDA-approved COVID-19 test kits from legitimate providers.
- If you aren't sure if a kit is legitimate, contact your doctor or local pharmacy to confirm.

- If you go to a pop-up site or other testing facility, research the facility or testing site before you go. Contact your local health department to find a legitimate test site near you.
- Ignore offers or advertisements for COVID-19 testing or treatments on social media sites.

The NYS Senior Medicare Patrol (SMP) provides you with the information you need to PROTECT yourself from potential fraud. If you suspect COVID-19 fraud, call **800-333-4374.**