The annual meeting of the CALCRA board was convened October 19, 2017, at University Retirement Community at Davis by President Margaret Griffin.

Present: Rose Burgis (Eskaton Village), Edward DeLaney (St. Paul's Towers), Mary Dougherty (La Costa Glen), Charles Greene (Valle Verde), Bob Googins (Casa de las Campanas), Margaret Griffin (University Retirement Community), Karen Robison (Eskaton Village), and Linda Saunders (Casa Dorinda).

Absent With Notice: Mike Hernacki (Vi at La Jolla), and Len Schneiderman (University Village).

Interim Board Actions: The following actions were taken by the Board since the April meeting: 1) Email vote to approve the minutes of the April 27 2017 Board Meeting. 2) Election of Mike Hernacki (Vi at La Jolla) to fill a three-year term. Mike is replacing Jacques Peeters.

Treasurer Linda Saunders presented the Treasurer’s Report including: Statement of Income and Expenses as of September 31, 2017, and the Forecast for the 4th quarter of 2017. All were approved. The proposed budget for 2018 will be forwarded later by email for review and approval before the end of the calendar year.

Election of Board Members and Officers: The following slate of officers was approved for one-year terms: Margaret Griffin, President; Ed Delaney, Vice President; Rose Burgis, Secretary; and Linda Saunders, Treasurer. Bob Googins was elected to another three-year board member term.

As Karen Robison declined to run again at the conclusion of her current term, this meeting marked the conclusion of her nine years of service on the CALCRA Board. Karen’s knowledge and enthusiasm and her willingness to serve on more than one board committee is acknowledged and appreciated.

Margaret Griffin reported for the Executive Committee which met via 2 conference calls since April. The committee considered our historic practice of maintaining the sum equal to one-year’s budget as a reserve, and the possibility of raising dues. The committee recommends that we maintain the current budget practice regarding the reserve, and defer any consideration of revising dues at this point. The committee is also studying the possibility of making the newsletter available electronically for those who prefer this format, and utilizing direct mail services as a way to get information regarding CALCRA into those communities where we don't already have members. These last two issues are open items with the committee.

Karen Robison reported for the Governance Committee. Karen noted that it is time to review the binder and orientation practices established for new Board members, as well as review our bylaws. With Karen leaving the board there is currently no chair for this committee.

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Legislative Update

CALCRA’s bill during the 2017 legislative session was AB 713, authored by Assemblmember Kansen Chu of San Jose. This bill established important new protections for residents who dispute a provider’s decision to transfer them to a higher level of care.

Previously, residents had little protection if they did not agree with a provider’s transfer decision. The law provided only that a resident could ask the Department of Social Services to review the process the provider followed in mandating the transfer. This “process” is limited to such things as whether proper timely notice was given and whether care plan conferences were conducted. There was no provision to ask for a review of the actual transfer decision.

AB 713 requires that, in setting forth the appropriateness of the proposed transfer, the provider will conduct a formal assessment which addresses the physical and cognitive capacities of the resident. Copies of the assessment tool will be provided to the resident. Requiring an assessment addresses the concern by some residents that financial considerations might be the chief motivation in the provider’s transfer decision. That is, by requiring a resident to move, the provider would collect increased monthly fees from that resident. The provider would also then be free to resell that vacated unit to a prospective resident thereby collecting a substantial entrance fee.

Furthermore, AB 713 allows the resident to appeal the transfer decision to the Department of Social Services. In their review of the appeal, DSS has to consider whether the transfer is appropriate and necessary.

AB 713 successfully passed the policy and appropriations committees of both the Assembly and the Senate. It was signed by the Governor on October 7, 2017, with its provisions going into effect on January 1, 2018.

Many residents took time to travel to the Capitol and testify in favor of this bill. Many, many more wrote letters of support for each committee hearing. This is the kind of effort that determines whether a bill will be successful or not. Thanks to every resident that participated in this.

Dues Coming Due

The CALCRA membership year runs from January – December. To see the year for which you’ve paid, look at your address label on this newsletter. Following your name is a 4-digit number which is the year for which you’ve paid. If it says 2017, we have not yet received your payment for 2018. You may use the Membership Form in this issue to renew for next year. Payments ($25 for an individual, $35 for a couple) may be sent to Al Hale, 1515 Shasta Dr., #4104, Davis, CA 95616. Contributions in addition to dues are always welcome!
Legislative Agenda con’t…

Margaret Griffin reported for the Legislation Committee. The committee presented a list of legislative goals for 2018, which was accepted. This list will now be reviewed with our lobbyist for potential action in the coming legislative session.

Bob Googins reported for the Membership Committee. Bob described a program utilizing direct mail to outreach to those communities where we don’t have members. He has developed materials and is working with a mailing list broker to do an initial mailing within the next couple of weeks. Depending on the results, we will consider expanding this effort to other locations. Bob also reminded Board members of their commitment to increasing membership at their home communities by the end of the year by 10% of members in 2016, or 25% of residents in Independent Living in December 2018, whichever is greater.

Report from the Department of Social Services.
Evon Lenerd, Chief of the Continuing Care Branch at the Department of Social Services, and Craig Lundgren, attorney for the branch, gave an update on Branch operations. ● The Branch continues to be fully staffed. ● A new database is in the first stage of development. Although it should allow greater flexibility in consulting and reviewing CCRC data maintained by DSS, all requests will have to be directed through Branch staff as the reports will not be accessible for direct queries by the public. ● Plans to supplement the work of Branch staff by contracting with consultants possessing finance and marketing expertise hit a snag when the initial requests for proposals resulted in no viable responses. Efforts are underway to review the RFP process which hopefully will encourage qualified bidders to respond. ● The Branch is assembling a FAQ sheet regarding filing complaints. The goal is to provide information to residents on what to expect and how to proceed when filing a formal complaint. ● The Branch will continue to publish the Continuing Care Contract Statutes (currently known as “The Green Book”) and make it available on request. They are researching less costly alternatives to the current printing process.

Report by Legislative Advocate. Ignacio Hernández of Hernández Strategies addressed the Board regarding lobbying efforts on CALCRA’s behalf in the 2017 legislative session. CALCRA sponsored one bill, AB 713, authored by Assemblymember Chu. See “Legislative Update” elsewhere in this issue for a review of this legislation.

Ignacio also shared information regarding a legislative initiative being organized by CANHR (California Advocates for Nursing Home Reform). CANHR is interested in crafting legislation (either one large reform bill or several targeted pieces of legislation) that would address multiple CCRC issues. This effort is similar to their RCFE (Residential Care Facilities for the Elderly) Reform Act of 2014 – a package of several bills regarding oversight and operation of RCFEs. CALCRA is working with CANHR on the development of this project.

Next Meeting: The next meeting will be held April 19, 2017, at La Costa Glen.

Member Questions

Previous issues have included responses to questions from members. We want to encourage all members to share questions or concerns of interest to CCRC residents. Is there an issue at your community or an experience of your residents (positive or otherwise) that other CCRCs would benefit from knowing about?

Questions or items of interest related to CCRC resident matters may be sent to: Margaret Griffin, info@calcra.org, or 1515 Shasta Dr., #1401, Davis, CA 95616.

CALCRA needs you and you need CALCRA.
Federal Tax Reform Proposal

Editor’s Note: At the time of this writing (mid-November) the House tax reform proposal has just been released, and some counter proposals are beginning to surface. However, this is a complex issue, unlikely to be resolved by the time this newsletter is printed and distributed, so there should still be time for residents to weigh in on this important issue.

Most CCRC residents and CALCRA members are aware of the federal tax reform proposal that includes elimination of the medical expense deduction. The CALCRA board has taken a formal position opposing this tax change.

Elimination of this deduction hits CCRC residents particularly hard since, in addition to other itemized medical deductions, many of us also elect to deduct a portion of our initial entrance fee, as well as a percentage of our on-going monthly fees. The likely result of losing these deductions will be higher taxes to be paid from our fixed incomes. Furthermore, to the extent that these deductions are attractive to potential residents, loss of this option could have an adverse impact on the entire CCRC industry.

Please consider taking the time to make your views known to your senators and congressional representative:

Senator Dianne Feinstein
United States Senate
331 Hart Senate Office Building
Washington, D.C. 20510
Phone: (202) 224-3841
Fax: (202) 228-3954

Senator Kamala Harris
United States Senate
112 Hart Senate Office Building
Washington, D.C. 20510
Phone: (202) 224-3553
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To find contact information for your congressional representative, follow this link, or enter https://www.house.gov/htbin/findrep in your web browser.