CALCRA News
California Continuing Care RESIDENTS Association
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Summer 2019

Report on Board Meeting

The semi-annual meeting of the CALCRA board was convened April 24, at the Vi at La Jolla by President Margaret Griffin. A quorum was present.

Present: Rose Burgis, Secretary (Eskaton Village); Mary Dougherty (La Costa Glen); Bob Googins, Vice President (Casa de las Campanas); Margaret Griffin, President (University Retirement Community); Mike Hernacki, (Vi at La Jolla); Bill Mavity (Regents Point); and Inda Shirley (Meadows of Napa Valley)

Absent With Notice: Ed DeLaney (St. Paul's Towers), Charles Greene (Valle Verde); Linda Saunders, Treasurer (Casa Dorinda); and Len Schneiderman (University Village)

Interim Actions Taken Since the October 32, 2018 board meeting: email vote to approve the minutes of the October 2018 Board meeting ● conference call to unanimously elect Inda Shirley to the Board for a 3-year term ● Board reviewed IRS Form 990 for 2018 ● email vote to approve the 2018 Statement of Income & Expenses ● email vote to approve 2019 Statement of Income & Expenses (budget) ● conference call to unanimously approve motion to join with CANHR in submitting an amicus brief supporting the residents of the Vi at Palo Alto in their appeal of the dismissal of their class action suit.

Treasurer's Report. Linda Saunders submitted in absentia the Statement of Income and Expenses as of March 31, 2019, and data on inflation and various economic indicators. Her report was accepted.

Margaret Griffin reported for the Executive Committee. The committee has met via 2 conference calls since the October Board Meeting. Several issues are under review and discussion, but no actions recommended for Board consideration at this time.

Bob Googins reported for the Governance Committee. Bob presented a draft of our bylaws which was unanimously approved. He also reported that work would begin to review education and orientation materials for new Board members. The committee recommended that the nomination of Penny Bard (Fountainview at Gonda Westside) as a CALCRA Director be approved; the Board voted unanimous approval for Penny to a 3-year term.

Mike Hernacki reported for the Membership Committee. Mike reported that membership last year increased by approximately 5%. In addition to Margaret's presentations at local CCRCs, Mike has initiated a drive to contact those facilities with few members; results so far are promising.

Margaret Griffin reported for the Legislative Committee. AB 1379 passed out of the Assembly Human Services Committee, moving on to the Assembly Appropriations Committee (see “Legislative Update elsewhere in this issue). The committee will begin work over the summer on legislative priorities for next year.

Next Meeting: October 23, 8:30 am at University Retirement Community at Davis.

Wanted: Ideas for Legislation

CALCRA's Legislation Committee will begin meeting over the summer to develop our “wish list” for the 2020 legislative session. This list will be presented to the Board at its October meeting for review and approval. The committee will begin by looking at the approved list for 2019 which was printed in the Winter 2018 newsletter. Do you have a bright idea for a bill? Please send it to Margaret Griffin, info@calcra.org, or (916) 573-1247.

Visit CALCRA’s website: www.calcra.org

CALCRA is the only organization working solely for the interests of residents of California CCRCs
Residents at Casa de las Campanas were definitely thinking “outside the box” of usual senior activities when they came up with their “High Adventures Club”. HAC is designed to develop activities for club members and other residents that fall outside the normal ambit of activities organized by the Activities Committee. So far, HAC has arranged two tandem skydives and freefalls. The jump is from 13,000 feet, but the parachute opens at 5,500 feet, so the freefall alone is more than 7,000 feet. Most of the jumpers have opted to have a professional photographer jump along side to capture a stunning video of the experience. Fourteen jumpers now proudly wear the Casa Skydiving Team tee shirts. Everyone thought it was a blast and more than one resident signed up to do it again. The club’s next planned adventure is going to be sunset hot air balloon cheese and champagne ride over Temecula valley. Future adventures will include glider planes, hang gliders and para-sailing. An informational program precedes each event. Those daredevils interested in more learning more about HAC may contact the club’s president, Bob Googins, at (858) 521-8646, or rgoogins@yahoo.com.

Amicus Brief

Long-time readers of this newsletter will recall the original account of the class action suit filed in February 2014 by the residents of the Vi at Palo Alto against their provider, CC-PaloAlto, and its parent company CC-Development Group (see the Summer 2014 issue). The residents' suit alleged several claims, including for breach of their residency contracts, violation of California consumer protection laws and fraud. After several years of considering pre-trial motions, the judge ruled in February granting the defendants’ motion to dismiss the suit.

The residents are moving to appeal this decision. At their request, CALCRA has joined with the California Advocates for Nursing Home Reform (CANHR) in agreeing to file a joint amicus brief in this matter. Fortunately an attorney who has done other work for CANHR has agreed to write the brief without charge. The issues to be raised on appeal will be identified as the brief is developed, and will be shared at a later date.

Goodbye Al, Hello Stuart

Most CALCRA members did not know Al Hale personally, but his name was widely recognized as the recipient of our dues, donations, and membership forms. Al's precision and attention to detail kept our records straight for almost a decade until his passing in April. The prospect of finding a replacement was daunting.

Fortunately for our organization, a willing and able volunteer has stepped up in the person of Stuart Groman, a resident of Eskaton Village at Carmichael. Stuart has updated the files received from Al and is “open for business.” You may contact him at 3939 Walnut Ave., #385, Carmichael 95608; stuartgtho@gmail.com. We are grateful for Stuart's dedication to CALCRA and willingness to take on this challenging responsibility.
LEGISLATIVE UPDATE

AB 1379, CALCRA’s bill in the current legislative session, began life as a “spot bill.” Spot bills are, literally, place-holders whose contents will be replaced with substantive, or “real” language at a later date after the deadline has passed to introduce bills. At that future date, the spot bill is amended to include the desired language. So, in our case, if you looked at the language of the original spot bill as introduced on February 22, you’d see some brief language from Health and Safety Code section 1770. The bill language as sponsored by CALCRA didn’t appear until the first amendment dated March 19.

AB 1379 is authored by Assemblyman Bill Quirk (D-Fremont). It deals primarily with corrective actions that may be initiated by the Department of Social Services when a CCRC’s finances begin to look shaky, and makes some changes to the Provider Fee Fund.

Under current law, DSS may require a provider to submit a financial plan if they have either failed to file an annual report, or if “(t)he department has reason to believe that the provider is insolvent, is in imminent danger of becoming insolvent, is in a financially unsound or unsafe condition, or that condition is such that it may otherwise be unable to fully perform its obligations pursuant to continuing care contracts [1793.13 (a) (2)].” The main problem here is that DSS relies principally on the provider’s annual reports to monitor financial condition. Those reports are due to DSS four months after the provider’s fiscal yearend. For problems that may arise early in the reporting period, DSS wouldn’t have the data for over 16 months after the fact. That’s a long time for problems to fester.

AB 1379 would set criteria that combines current occupancy and financial performance, and require a provider to report to DSS when these criteria are met. For example, if occupancy falls below a specified percentage in combination with a declining debt service ratio and days cash on hand, that would trigger a report by the provider to DSS. At that point, DSS has the authority to require a financial corrective action plan, or it may determine that circumstances don’t require that degree of intervention – the decision is up to DSS. But when a corrective action plan is deemed necessary, AB 1379 would require that it be shared with both the resident council and prospective residents. As things stand now, a CCRC may be under corrective action mandated by DSS, but residents are not be informed of that action.

AB 1379 creates an early intervention system, based on the CCRC’s current performance, designed to identify, mitigate, or resolve financial issues early, hopefully allowing a provider to avoid bankruptcy, as well as protect the interests of residents. It requires more timely reporting by CCRC’s, thereby providing more relevant real-time data about financial performance.

The bill would also re-name the Provider Fee Fund to the CCRC Oversight Fund, and change how the fees are calculated. The purpose of the fund is to cover and pay for the oversight activities carried out by DSS. AB 1379 would require that amounts collected be adequate to fund those expenses, and require information as to the costs incurred by DSS be posted on the department’s website.

AB 1379 is moving through the legislative process. As of this writing (mid-May), it has successfully passed with unanimous support out of both the Assembly Human Services Committee and the Assembly Appropriations Committee. On May 16 it successfully passed off the Assembly floor. Next step is to move to the Senate for committee hearings and a floor vote. We will send out a request for letters of support prior to the first committee hearing in the Senate.

You can monitor the status of this bill and access all amendments and legislative committee analyses by “subscribing” to AB 1379. Go to http://leginfo.legislature.ca.gov. Click on the Bill Information tab, enter “AB 3088” into the Bill Number field and click on Search. You will get the current text of the bill. Above the bill text field, click on Track Bill, and enter your email and registration information, and the Tracking Points you want to follow. You will now get email notices of updates as they occur.

Speakers Available

Members of the board are available to speak at your community. Contact Margaret Griffin at info@calcra.org or (916) 573-1247 for more information.

CALCRA needs you and you need CALCRA.
RUN FOR THE BOARD

Want to have a hand in steering CALCRA’s operations? Join the Board!

The CALCRA Board is all volunteer. It is important that we have representation that reflects the variety of CCRCs in California – from all geographic areas, and both for-profit and nonprofit communities.

In addition to providing the leadership that guides the association, board members reflect and provide the all-important link to members in local communities. While a board member needs to be active, interested, and informed about their home CCRC, they also must be able to keep those views in perspective when considering the overall good of CALCRA as a statewide organization.

Board members are expected to attend the two formal board meetings per year (the October meeting in Northern California, and the April meeting in the South), and participate in at least one of the three standing committees: Membership, Legislation, and Corporate Governance. Most committee business is conducted via email and conference calls. Travel expenses are reimbursed.

Board terms are 3 years, with no limit. Officers (President, Vice President, Secretary, and Treasurer) serve 1-year terms, which also may be renewed.

Interested CALCRA members are encouraged to contact current Board Directors to get answers to any questions they might have. A listing of current Directors, their contact information and a brief biographical description is available on the CALCRA website (www.calcra.org).

Information regarding qualifications, roles, responsibilities, and a link to the self-nomination form are also on the CALCRA website, under the “Volunteer With CALCRA” page. Nominations must be in writing (email is fine) and include a statement certifying the nominee meets the qualifications for the position. CALCRA members may self-nominate, or be nominated by a sponsor. Please send nominations to CALCRA Secretary, Rose Burgis 3939 Walnut Ave, #146, Carmichael, CA 95608, or roseburgis26@gmail.com by August 10, 2019.