

# **DIVISION FOR AGING SERVICES/OFFICE OF DISABILITY SERVICES KEY ISSUES**

## **GLOBAL ISSUES**

- Plan to consolidate ODS and Senior/Disability Rx into DAS
  - Budget contains position reclassification proposals due to the restructuring of the agency and functions of staff.
- DAS developed a Cost Allocation Plan and put it into place in SFY2008 – this was required by CMS to allow the Division to collect matching Title XIX Administrative funds.
  - All staff does time tracking – this has changed the GF allocation.
  - Due to the CAP, 5 positions within the Division are being moved from BA3146 to BA3151.
- Transfer of the Title XIX Administrative match from DHCFP to DAS. Historically, the GF match for DAS waiver operations has been in DHCFP's budget. This will move the GF match for administrative functions into DAS budget. Direct Service match remains in DHCFP budget.
- Nevada continues to have the fastest growing senior population in the nation.

## **BA 2363, HHS – Senior Citizens' Property Tax Assistance**

1. Senior Tax Rebate program was part of the Spending and Government Efficiency (SAGE) review and is scheduled for hearing on December 4, 2008. The program may be restructured or removed from the Division's scope of responsibility.
  - \$5,912,442 GF in SFY2010
  - \$6,267,971 GF in SFY2011
  - The projected balance-forward for SFY2009 of \$243,387 was used to meet the Division's budget cut target.
2. M-200 caseload growth includes a 3.9% increase in the estimated average refund and a 3.75% increase in the number of applications received each year of the biennium.

### 3. SQL Server/Database Maintenance

- Includes programming and testing hours needed to complete the conversion of business operations and historical data which began in SFY2008 to convert the current Access database to a System Query Language (SQL) server database.
- Request was legislatively approved in the SFY2008 budget and was partially completed.
- Due to unforeseen difficulties with the Senior Tax program needs and the limited availability of DoIT programmers the project was not completed in SFY2008.
- Delays in rebate checks occurred in SFY2009 partially due to system problems.
- Maintenance is critical for timely completion of processing refunds.

### **BA 3140, HHS – Tobacco Settlement Program**

1. Reduction in TSF allotment due to the 24<sup>th</sup> Special Session: Approximately \$1.9 million for SFY2010. The Division made the decision to split the reduced funding over 2 grant years – 2009 and 2010 in order to reduce the impact to recipients. Available funding for grant awards:
  - \$6,047,376 in SFY2009 (includes ½ of the 1.9 million reduction)
  - \$5,628,740 in SFY2010 (includes ½ of the 1.9 million reduction)
2. Securitization of TSF
  - The BDR by Lt. Gov. Krolicki proposes securitizing the TSF. This would result in the Division no longer receiving funding for Independent Living Grants.
  - Funding is used to provide services to seniors throughout Nevada, supplementing the funds received from the Administration on Aging under the Older Americans Act Title III-B Social Services. (Approximately \$2.8 million.)
  - Translates into a loss of approximately \$6 million to the Division for Aging Services or 12.8% of the Division's total budget, or 68.2% of the total Social Services funding.
  - Loss of TSF also impacts BA3146, 3151 and 3252 within the Division.

#### IMPACT

- \$192,166 goes into the Homemaker Program (BA3252)

- \$311,631 goes into COPE (BA3146)
  - TSF is used as match for federal funds – 25% for Alzheimer’s Grant (\$100,000) and \$338,283 for Title IIIIE (Family Caregiver Support) funds
  - Due to CAP, result in loss of 2 staff: 1 Auditor and 1 Grants Project Analyst
3. Transfer of Senior/Disability RX to this Budget Account
- Transfers 5 positions to DAS.
  - Securitization of TSF would eliminate the funding stream for Senior Rx/Disability Rx. Based on most current enrollment data, impacts would include:
    - Loss of prescription coverage and/or assistance with monthly insurance premiums for 5,344 members
    - Loss of vision benefits for 3,259 members whose annual incomes are at or below 150% of the Federal Poverty Level
    - Loss of prescription co-pay coverage for 14,846 Medicare-Medicaid dual eligibles
    - Increased costs to the State when 140 members of the special HIV/AIDS benefit group are re-absorbed by the Health Division and prescription co-payments are no longer counted under Medicare Part D
    - Layoff of 5 positions

**BA 3146, HHS – Home & Community Based Programs**

1. Loss of 10.5 positions (9.5 Social Workers and 1 Social Work Supervisor)
  - As positions became vacant over the past 9 months the Division implemented a soft freeze in anticipation of the potential need for additional budget cuts.
  - Translates into a decrease in service access to 450 frail seniors (450 slots).
  - During caseload negotiations with DHCFP for SFY2010/2011 the caseload was held flat at an average caseload of 1,708 per month.
  
2. Level of Care criteria for nursing home eligibility is being changed from 3 to 5
  - It is estimated 166 waiver clients currently eligible for waiver services/Medicaid will no longer meet eligibility requirements and will be dropped from the program.
  - DAS has been scrutinizing new admits in an effort to prevent clients from getting on the program and then being faced with removal after the new budget.

3. Waiver caseload reductions

	Budgeted slots ending 6/30/08	Reduced budgeted slots for SFY 2009 due to DHCFP decrease	Agency Requested Slots for SFY 2010 - 2011
CHIP	1,713	1,241	1,163
WEARC	324	319	331
AL	79	45	33
COPE	181	181	181

4. Retain 2 social worker positions that are slated for loss due to the caseload reduction in order to process applicants for waiver services. (Dec unit E-250)
- The Division has an obligation to process applications and cannot deny a person from applying for the waivers.
  - These two positions would be responsible for determining needs of applicants and putting them on the waiting list or referring them to other services if they are not going to be eligible for the waiver or will need to wait for an available slot.
5. Personal Care Assistants (PCA).
- Hourly rate decreased from \$18.50 per hour to \$15.50 per hour. This reduction is across all agencies providing personal care services.
  - May result in a loss of vendors willing to provide PCA services.

**BA 3151, HHS – Aging Federal Programs and Administration**

1. CMS has been withholding payment for the administrative claiming to Title XIX for administrative activities by the Elder Rights Advocate 2 conducting Medicaid outreach activities. It is anticipated that they will stand by this decision to no longer allow this type of claiming. The impacts of this decision are:
- Loss of funding estimated at \$339,222 in SFY2010 and \$339,436 in SFY2011.

- Loss of 5 Elder Rights Advocate 2 positions (currently 10 Elder Rights Advocate 2 and 2 Elder Rights Advocate 3 positions) and the reduced ability to respond to complaints issued concerning residents' needs in nursing homes and group homes. Additionally, it affects the Division's ability to comply with the Older Americans Act expectations for activities required to be conducted by Ombudsmen.
2. Aging and Disability Resource Centers (ADRC) concept is now embedded in the Older Americans Act. ADRC's are designed to be single sources of information to assist elderly and disabled individuals and their families with accessing long-term care options in their community and planning for their needs. This includes benefits planning and allocating resources outside of state and federal systems.
- Social Services Program Specialist 2 was funded with Title III Administrative funds, plus GF, for the last three quarters of SFY2009. The Division is requesting to continue funding this position which would require GF of \$18,941 for SFY2010 and GF \$17,927 for SFY2011.
  - ADRCs have become a national initiative and states are expected to have fully functioning ADRCs. The Division is not to that level yet, and has been unable to compete for ongoing federal grant opportunities due to the lack of a fully functioning ADRC.
  - This position is critical to the Division's ability to obtain and maintain future federal grant funding associated with ADRC activities and to conduct the activities described above.
3. Broadband Wireless Network Infrastructure
- The Division is requesting approval to purchase and install BBWN infrastructure antenna and receivers to the Las Vegas and Reno offices. It will allow the Division efficient utilization of the web based client management application for the Social Assistance Management System (SAMS).
  - This supports the governor's request to move towards IT consolidation, including use of centralized DoIT technical solutions.
4. Business and Industry has stated that they will no longer transfer \$20,000 to the Division for Aging Services from the Nevada State Office of Energy, Petroleum Overcharge Rebate funds. The Division grants these funds with \$70,000 of State General Fund (for a total of \$90,000) to rural city and county governments to support programs that provide transportation to seniors and disabled persons. The rural governmental units use these funds as match for the Federal Transportation Act (FTA) received through the Nevada Department of Transportation to purchase vehicles for their programs. The FTA funds 80% of the cost of vehicles, NDOT funds 10%, and DAS provides up to 10% of the remaining match requirement.

### **BA 3252, HHS – EPS/Homemaker Programs**

1. Loss of TSF through securitization would result in a decrease of \$192,166 each year of the biennium which supports the Title XX Homemaker program.
  - Reduction in Homemaker caseload by 103 or 16.2%.
  - \$400,000 in ILG funding each year goes to Clark County Senior Protective Services to support their efforts to continue their Elder Protective Services unit. A loss in this funding puts the state at risk of Clark County giving the responsibility of all EPS activities back to DAS. A decision unit was developed for the 2007-2009 biennial budget in anticipation of Clark County transferring their responsibilities back to the Division for Aging Services. At that time, the General Fund amount for 2008-2009 was calculated at \$1,128,909.

### **BA 3266, HHS – Community Based Services**

1. M 540: Requests funding increases for the Independent Living and Personal Assistance Service programs, and a funding decrease for the Traumatic Brain Injury program. This will target program waiting periods at 90 days as projected by CLEO data. Net cost is \$1.4 M over the biennium.
  - Independent Living Services: CLEO data show a need for \$1,075,516 in maintenance funding to serve an additional 169 individuals over the biennium to meet the projected service demand. The caseload will grow by 8% from SFY2008-2009 to SFY2010-2011.
  - Personal Assistance Services: CLEO data project a need to add 57 slots to the program in the new biennium, at a cost of \$484,357. Proposed to roll slots out over the course of the biennium resulting in a 28% increase in the number of available slots from SFY2008-2009 to SFY2010-2011.
  - Traumatic Brain Injury Services: CLEO data indicates room for a negative maintenance unit of \$125,000 over the biennium. This will mean that 4 fewer people will be served over the biennium (a 10% decrease).
2. Personal Care Assistants (PCA).
  - Hourly rate decreased from \$18.50 per hour to \$15.50 per hour. This reduction is across all agencies providing personal care services.
  - May result in contracted vendor from continuing to provide PCA services.