



Commission on Aging  
Advocacy Committee

Minutes – May 6, 2019

The Milwaukee County Commission on Aging *Advocacy Committee* held its monthly meeting on May 6, 2019 at the Marcia Coggs Building, 1220 West Vliet Street, Room 104, Milwaukee, WI 53212 in Room 104.

**Commissioners Present**

Fred Knueppel

**Committee Members Present**

Sharon Abston Coleman, PhD  
Barbara Bechtel  
Casper Green  
John Griffith  
Jason Haas  
Bob Haase  
Tim Harrington  
David Hoffman  
Elliott Moeser

**Committee Members Absent**

Gary Mikolajczyk

**Committee Members Excused**

Tom Frazier  
Judith Troestler

**Milwaukee County Staff Present**

Dan Idzikowski, MCDA Policy Coordinator  
Jill Knight, MCDA Program Coord.  
Andy Bethke, MCDA – Outreach  
Donna James, MCDA Guardianship Sup.  
Carolyn Humphreys, MCDA Guardianship

**Guests Present**

Rita Bruce  
Martha Collins, HTF  
Pat Dunn, SAAC  
Dorcie Ferlitsch, AARP  
Tom Gossett, Goodwill  
Mike Helbick, Sen. Tammy Baldwin office  
Christie Karter, LGBT Center  
Harold Oemig  
Alyna Romain, LGBT Center  
Gary Sprong, United Way Retired Seniors  
Alex ?, County Board Intern, Downtown  
Montessori

**I. CALL TO ORDER**

Fred Knueppel called the meeting to order at 1:36 PM.

**II. PUBLIC COMMENT**

Bechtel & Hoffman requested more specificity on the agenda regarding legislative items. Casper commented on Dark Store issue. Hoffman commented on Fair Deal.

**III. REVIEW /APPROVAL OF APRIL 1, 2019 COMMITTEE MINUTES**

Abston Coleman asked to correct the April 1st minutes as follows: in Section VII to remove her name from the paragraph and correct to her last name in Section X.

**MOTION:** Approve the March 4, 2019 Committee minutes as amended.

**ACTION:** Motion carried unanimously (Griffith moved, Abston-Coleman seconded).

#### IV. COURTS, GUARDIANSHIP & ELDER JUSTICE

**MOTION:** Motion to support the request of the Director of State Court's Office for \$10,000,000 over the biennium as funding for counties to reimburse them for the additional cost of court appointments, based upon the rate increase from \$70 to \$100 an hour.

**DISCUSSION:** Green commented on the cost to the County of not having an increase in rates for court appointed attorneys. Bechtel asked for a review of the provisions of the Criminal Justice Coalition's 2019-21 Biennial Budget Proposal.

**ACTION:** Motion carried unanimously (Haase moved, Green seconded).

Members of the Committee asked staff to send the letter indicating support of these items to the Wisconsin Joint Committee on Finance, state legislative delegation from Milwaukee County, the County Executive & Supervisors, and the public policy lobbyists for both the County Executive & County Board.

Idzikowski discussed Supported Decision Making law and DHS form. Idzikowski noted the availability of the Wisconsin Guardianship Support Center to assist with information and assistance regarding the guardianship process, including materials included in the packet and a newsletter. Idzikowski then introduced Ms. Donna James, supervisor of the Guardianship Unit at the Milwaukee County Department on Aging who spoke about the guardianship process.

Knueppel asked about the differences between guardianship and powers of attorney. James noted that Powers of Attorney have to be executed by a person who is competent. They are also more limited in scope to the items enumerated in the POA, which may be revoked at any time, whereas a guardianship is imposed by a court and may only be removed by a court.

James indicated that "commitment" under chapter 51 for mental health concerns is a different process than guardianship under chapter 54 and generally requires the involvement of law enforcement. James clarified that only courts have the power to declare someone incompetent. A power of attorney may be "activated" however,

upon the examination and agreement of two physicians. Usually it is helpful to have an attorney involved to file for guardianship, but if a family member files for guardianship without an attorney, there is no filing fee.

Griffith asked about LGBT issues that may arise when appointing guardians. James indicated that the County is using more corporate guardians than the County would like, and there is a fee attached to the corporate guardians. Corporate guardians may not know the individual personally, do not necessarily have familiarity with an individual's personal lifestyle preferences, cultural competency, etc. Individual guardians will generally have a much closer relationship with the individual. Griffith asked if the LGBT Center could serve as a corporate guardian? James indicated the Center could pursue such a contract under the current procedure.

James noted that the Legal Aid Society of Milwaukee runs the GAIN program (Guardians Assisting Individuals in Need). The GAIN program recruits and trains volunteers to serve as guardians for adults with disabilities and frail elders in Milwaukee County. She encouraged more people to volunteer in this capacity.

James also recommended everyone to have a Durable Power of Attorney for Healthcare and Power of Attorney for Finances, so that courts do not need to become involved and guardianships are not necessary – this is applicable to all people. Also notes that spouses and other relatives are not automatically empowered to make decisions for the person under Wisconsin law, so these Powers of Attorney are necessary if someone becomes temporarily incapacitated.

## **V. LEGISLATIVE & POLICY UPDATES**

- N4a Federal Aging Policy Briefing

Idzikowski explains that n4a is the national organization for Area Agencies on Aging and that the Milwaukee County Department of Aging serves as both the Unit on Aging and the Area Agency on Aging. Notes that n4a has promoted an increase in the federal budget for Older American's Act and other aging program funding and a letter to that effect is included in the packet.

Idzikowski noted that Medicare does not currently cover the cost of skilled nursing facility stays, or prescription medication dispensed by a hospital, unless person has been admitted to the hospital for three (3) days and that many hospitals are now placing individuals in "observation" status, rather than admitting them, which

classifies them as outpatients, and excluding coverage under Part A of Medicare. Griffith asked if we have any information about local hospital policy on observation status. Idzikowski stated that he would inquire with GWAAR to determine whether such information exists.

Harrington noted that there is Congressional legislation that has been introduced to address this issue: HR 1682 and S. 735 and asked staff to determine if any members of our Wisconsin delegation have signed on to support this legislation.

Idzikowski noted that the SeniorCare Medicaid waiver was approved for 10 additional years by CMS and that such an approval was extraordinary. This approval came only after Wisconsin's entire Congressional delegation signed on to a letter asking CMS to approve the waiver, testifying to the power of advocacy and bipartisanship.

- 2019-21 Wisconsin State Budget

Idzikowski noted that Commission Chair Wyatt-Sibley, as well as Committee members Hasse, Knueppel, and Griffith testified in person on April 10<sup>th</sup> in Oak Creek at the Joint Committee on Finance hearing. Testimony was also submitted in writing and that is included in your packet, along with WAAN's written testimony.

Idzikowski reported that after the time for submission of comments on the budget closed, the Joint Committee on Finance co-chairs announced their intention to remove about 135 items from the Governor's Executive Budget, including Medicaid expansion.

**MOTION:** The Commission on Aging supports the expansion of Medicaid coverage in Wisconsin under the Affordable Care Act and strongly encourages the legislature to re-include this provision in Wisconsin's 2019-21 state budget.

**ACTION:** Motion carried unanimously (Hasse moves, Moesser seconded).

Griffith encourages individual members of the Committee and guests to similarly advocate with the Joint Committee on Finance.

Idzikowski notes the significant items affecting older adults that were removed from budget consideration by the Joint Committee on Finance and encourages Committee members to advocate individually with their legislators.

Idzikowski notes that 2019 AB 76 passed out of the Assembly. The bill lowers the requirement for CNA training to the federal mandated amount of 75 hours from the current 120 hours required by Wisconsin law. Harrington notes the advocacy efforts that have been ongoing on this issue for more than a year. Griffith notes the real issue is paying caregivers a fair wage.

Abston Coleman notes the importance of training for CNAs and the slippery slope of training requirements for other licensed professionals.

**MOTION:** The Commission on Aging opposes any reduction in training hour requirements in Wisconsin for CNAs and opposes any further consideration of 2019 AB 76 or 2019 SB 103 by the legislature.

**ACTION:** Motion carries unanimously (Abston Coleman moves, Bechtel seconded).

Idzikowski notes that the provision to increase shared revenues by \$40 million as well as the provision to close the dark store loophole were both removed from the budget by the Joint Committee on Finance. Idzikowski notes there is also a separate piece of legislation to address the Dark Store & *Walgreens* tax loopholes. Much discussion follows regarding how the use of the assessment appeals by big box stores to decrease their property tax assessments reduces revenue to municipalities and shifts the property tax burden to residential homeowners, many of whom are seniors. Knueppel notes that Committee members may wish to contact their Supervisors to alert them to this issue and put it in their newsletters.

**MOTION:** The Commission on Aging supports SB130 and AB146 to close the “dark store” property tax assessment loophole and the *Walgreens* leased store property tax assessment loophole.

**ACTION:** Motion carries unanimously (Green moves, Griffith seconded).

- County Budget

Haas provides a short County update. Encourages both county lobbyists to attend. County budget process is just beginning. Notes the Fair Deal issue is in the hands of the legislature. Notes that County Supervisor Schmitt from Wauwatosa has been a good friend and is considering not seeking reelection. Cooperation has improved between the County Executive and County Board. Haas and his student intern need to be excused for another meeting.

Idzikowski summarizes the status of the Fair Deal initiative. Notes that the Shared Revenue increase was removed from budget. Awaiting advocacy materials from the County regarding the Fair Deal. Discussion follows. Hoffman asks about the stadium tax? Is it set to expire? Could it be maintained to support parks?

Griffith states that the state delegation from Milwaukee County seems to have difficulty communicating in legislature with their colleagues in other parts of the state so that we can better cooperate on issues like this and in turn, support rural concerts. Discussion about ability of municipalities to increase sales/other taxes.

#### **VI. SENIOR STATESMAN PROGRAM REVIEW**

Idzikowski notes 24 participated and went well. Summary of program in packet.

#### **VII. RECRUITMENT & COMMUNITY ENGAGEMENT**

Hold over to June meeting agenda

#### **VIII. ANNOUNCEMENTS & ADVOCACY OPPORTUNITIES**

Aging Advocacy Day (May 14th) 60 going from Milwaukee County, 40 through the AAA. Idzikowski again encourages Committee members to become a Special Voting Deputy. Idzikowski introduces Andy Bethke, Outreach Social worker for MCDA.

- Wednesday, May 19<sup>th</sup> Senior Health and Fitness Day at Senior Centers
- SeniorFest at ICC Wed June 12<sup>th</sup> \$4 in advance
- Jewish Family Services open for mental health counseling appointments
- Alzheimers Association awareness campaign has launched

Griffith notes that PrideFest will be held June 7<sup>th</sup>-9<sup>th</sup> at SummerFest grounds. He is hoping MCA will be a sponsor for the first time.

Hunger Task Force representative announces Senior Farmers Voucher will be available 7/9 -7/19 at various locations (\$25 for adults over 60).

#### **IX. FUTURE AGENDA ITEMS & MEETING DATES**

#### **X. ADJOURN**

**MOTION:** Adjourn meeting until June 3, 2019 at Wilson Senior Center.

**ACTION:** Motion carried unanimously (Harrington moved, Abston-Coleman seconded).