

**Albany County**  
**Long Term Care Symposium Series**  
**Community Based Care Options**  
**For Chronically Ill Adults**

Tuesday, May 24<sup>th</sup>, 2005

9:15a.m. -12:00p.m.

The Crossings

580 Albany-Shaker Road

Loudonville, New York 12210

**Symposium Minutes**

**Vincent Colonno, Commissioner of the Albany County Office of the Aging**

Mr. Colonno welcomed the participants to the symposium. Participants were asked to fill out an Evaluation Form before leaving. This feedback will be used to plan future events.

**9:15a.m. –10:30a.m.**

**Presenters:**

**1) Donna Lamkin, Center for Disabled**

All the services at the Center for the Disabled are certified by Office of Mental Retardation and Developmental Disabilities (OMRDD).

The center for the disabled is the largest provider of services for individuals with disabilities in Upstate New York, and one of the few agencies to offer every service approved by the State. The Center helps children and adults of various levels of ability meet their needs at every stage of life. There are various programs and services in the Center for Disabled, including: CloverPatch Early Childhood, Creative Learning Center, Kevin G. Langan School, Adult Services, Residential Services, Medical Health Services, Outpatient Therapy Services, Therapy Services, Multiple Sclerosis Care Center, Other Services & Supports. The Center serves people of every age with various disabilities, from over 30 counties, in more than 60 locations throughout the Capital Region. The residential area is fully accessible. We are pleased to accept referrals.

2) **Pat Gumson, New York State Department of Health**

Traumatic Brain Injury (TBI) Waiver Injury Program. NYS Department of Health defined waiver for defined group of people (TBI clients).

Office of Mental Retardation and Developmental Disabilities (OMRDD) pioneered brain injury services. Program began to serve those who were above 22. It is community-based services funded through HCBS. People that are 18 – 22 years old can receive services, regardless of injury time. We try to keep housing and services separated.

New Initiatives:

- Nursing home diversion – available to all who are above 18. Goal for program is April 1, 2006. A Request for Information has been issued.
- Independent housing programs have received grants (5) related to a partnership among NYSOFA/Local DSS and agencies in Hudson Valley, Rochester and New York City.

3) **Carol Furman, The Visiting Nurses Association of Albany, Sarotoga & Rensselaer**

The Visiting Nurse Association of Albany, Saratoga & Rensselaer has a Long Term Home Health Care Program (LTHHCP) serving Albany, Saratoga and Rensselaer Counties. They provide services mainly to the senior citizens, but they accept applicants of all ages. The admission criteria to the LTHHCP is multiple chronic illnesses or disability, multiple medications, nursing needs, rehabilitation needs, needs assistance, at risk of deterioration, hospitalization and or institutionalization, history of frequent emergency room visits or hospital admissions. Patients do NOT need to meet all the criteria. There are also waived services (services not traditionally covered by Medicaid): medical social worker, respiratory therapy, home improvement, emergency alert response system, moving assistance, respite care, social day care, home delivered meals, social transportation, registered dietitian, audiology, home maintenance. The Visiting Nurse Association has a strong case management element.. It is largely Medicaid funded, and insurance covers limited services.

**Questions:**

There was discussion of Medicaid eligibility, application procedures, spousal financial liability for care. Agency social workers can only help those who are actually Medicaid eligible with application process.

**Q:** How many slots are there in Albany?

**A:** 180

**Q:** Do you coordinate meal delivery?

**A:** Yes, we have contracts with for meal delivery.

4) **Ann Marie Massaro, Albany County Department of Social Services (DDS):  
Community Medicaid Unit**

Office works primarily with community based programs. Ann Marie discussed the differences in process for reporting resource availability for community based vs. residential care. There is 36 months “look back” for coverage of residential health care facility placement.

5) **Jim Finnigan, Albany County DSS Medicaid: Chronic Care Unit**

Unit processes Medicaid eligibility for nursing home care, intermediate care facilities for people with developmental disabilities and Medicaid-approved assisted living.

He discussed limits on the resources allowed to individuals and couples who are covered by Medicaid. If both members of a couple are applying for Medicaid benefits, both must meet financial limits. If only one spouse is seeking coverage, special spousal considerations about income and assets would apply.

6) **Kimberly Verner, Attorney and Counselor at law, Tully, Rinckey &  
Associates PLLC.**

Specialized in elderly law. Estate planning for disabled people.

Attorneys can assist with advocacy tools.

Advance Directives – tools to help people advocate for themselves, people can stay in control

Supplemental needs trust – funds can be held in trust for people with disabilities to be spent for needs above and beyond Medicaid program benefits. Items such as pet expenses, computers, travel and hobbies could be included.

Attorneys can help educate clients- about estates, tax planning, long term care insurance, long term care advocacy and using benefit programs.

The earlier one starts, the more options one has.

7) **Scott Owens, Center for Independence**

The Capital District Center for Independence, Inc. is a non-residential, community based, independent living center, which offers a wide variety of

services to consumers with any and all disabilities, and their families. Independent Living Centers (ILCs) teach advocacy from a peer model – that is, where people with disabilities mentor and assist other people with disabilities on how to help themselves and to live independently. ILCs promote accessible communities for all, and also educate the greater community about disability rights. We provide peer advocacy, information and referrals, independent living skills, client assistance program, systematic advocacy, benefits advisement, speaker services, consumer directed personal assistance program, housing, ramp projects. One can get involved in the program by volunteering, disability awareness programs, membership, and board of directories. We provide housing information and make referrals.

**10:30 a.m. –10:45 a.m. Break**

**10:45 a.m. – 12:00 p.m. Case Study Presentations**

**Facilitator:** Chris Cary, Case Manager, Town of Colonie, Resource Department

**Panelists:**

Donna Lamkin, Center for Disabled

Pat Gumson, NYS Department of Health

Carol Furman, Visiting Nurses Association

Jim Finnigan, Albany County DSS Medicaid: Chronic Care Unit

Ann Marie Massaro, Albany County DSS: Community Medicaid Unit

Kimberly Verner, Esq.

Scott Owens, Center for Independence (Invited)

**Case Summary:**

**Issues/Ideas:**

- Center for the Disabled has a staff of service coordinators for eligible clients
- there is a “gap” re: transportation for military veterans as many vets don’t pay for Medicare part B
- aging services staff are increasingly being called on to help younger disabled clients remain in the community because the staff are familiar with needed services
- NYS ARC pooled trust can divert some funds from eligible clients’ Medicaid “overage” to use for non-medical living expenses. Courts have upheld this process, but Albany County is contesting some clients’ disbursements.

-attendees discussed difficulties of assisting a clients who is unwilling to release medical/personal information . Various strategies to encourage client collaboration or create flexibility in the release process were shared. Ultimately it is the client's decision whether or not to take part as long as they have legal capacity.

-it can be very important how we speak with people with disabilities—" you deserve help" rather than "you need services"

-attendees noted that vouchers for section eight housing might be possible for people with dual diagnoses, in actuality housing lists are long or closed.

**12:00 p.m. Commissioner Vincent Colonno closed the meeting**

Respectfully submitted

Xiaolei Sun

Graduate Student Assistant

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