



**Senior Advocates Coalition**  
**Muskegon, Ottawa & Oceana Counties**

**MEMORANDUM**

**To:** Senior Advocates Coalition  
**From:** Pam Curtis, Facilitator  
**Date:** November 6, 2023  
**Re:** November 13, 2023, Senior Advocates Meeting

## Meeting Reminder

The next meeting of the Senior Advocates Coalition for Muskegon, Ottawa, and Oceana counties will be held:

**Monday, November 13, 2023**  
**1:30 – 3:00 p.m.**

**In-Person** at 560 Seminole Road in Norton Shores

**or**

**Via Zoom**

**Join Zoom Meeting**

<https://us06web.zoom.us/j/84530916954?pwd=tma5pvXlwCRu0RFYq8pxhNYh4tvYUA.1>

**Meeting ID: 845 3091 6954**

**Passcode: 989996**

**Via Phone: +1 301 715 8592**

We will be meeting with our State Legislators or Legislative Aides

### AGENDA

**1) Welcome/Announcements – Pam Curtis**

**2) Update on Caregiver Resource Centers**

**3) State Legislation and Advocacy Opportunities**

Guardianship Bills Discussed in House Committee -The House Judiciary Committee heard a second round of testimony on a bipartisan package of bills establishing regulations for professional guardians and conservators. The bipartisan package of bills, House Bills 4909-4912 and 5047 are based on

recommendations from Attorney General Dana Nessel's Elder Abuse Task Force. At the first hearing, AG Nessel testified in favor of the package. Subs for the bills are expected soon based on input from various stakeholders and a vote will likely be held by the committee the week of October 9th. Among other things, the bills would require professional guardians and conservators to be licensed, establish suitability requirements in the appointment of a guardian or conservator, and create the Professional Guardian and Professional Conservator Board within the Department of Health and Human Services.

Senate Committee Hold Hearing on Auto No-Fault Bills -Senate Democrats have introduced Senate Bills 530 and 531 which make changes to the reimbursement structure within Medicare and establish a new non-Medicare fee schedule, among other items. In July, the Michigan Supreme Court, in a 5-2 decision, upheld the previous ruling of the Court of Appeals that the 2019 auto no-fault reforms do not apply to those injured and receiving benefits while covered by a policy prior to the law's effective date. In *Andary v. USAA Casualty Insurance Company*, the Supreme Court struck down the retroactive component of the 2019 medical fee schedule which set limits on reimbursements in the system in ruling it does not apply to those injured before passage of the reforms. Senate Bills 530 and 531 have been referred to the Senate Committee on Finance, Insurance, and Consumer Protection and the Committee held its first hearing on October 4th.

On Tuesday, October 3rd hundreds of individuals attended a rally on the Capitol lawn advocating for the bills. Attendees included catastrophic car accident survivors and their care providers.

Senate Passes Prescription Drug Affordability Board Legislation - The full Senate has passed Senate Bills 483-485 along party lines which establish a Prescription Drug Affordability Board which is charged with reviewing expensive prescription drug costs and potentially setting a cap on certain prices. Under the bills, the governor will appoint five individuals to the newly created board which will be housed within the Department of Insurance and Finance Services. The board will work in consultation with a 21-member council, to be appointed by the governor with recommendations also coming from the Senate majority leader and House speaker. Those opposing the legislation have stated the Board would hurt research and development efforts, reduce access to important prescription drugs, and increase costs.

The bills are now being transmitted to the House for further consideration. Governor Gretchen Whitmer had included the issue of a Prescription Drug Affordability Board in her "What's Next Address" at the end of August outlining various priorities for the fall session.

Adult Foster Care Facility Legislation-The House Families, Children, and Seniors Committee heard testimony recently on House Bill 4841 to require stricter standards for adult foster care facilities. The legislation, known as Theresa's Law, would amend the Adult Foster Care Facility Act to include new requirements and procedures for adult foster care facilities in addition to new procedures for the Department of Licensing and Regulatory Affairs (LARA) to use for regulating those facilities. LARA will be required to provide certain information concerning adult foster care facilities to the public, in compliance with the Freedom of Information Act (FOIA), and to post it online as part of the adult foster care facility search tool. In addition to existing license renewal requirements, House Bill 4841 would require LARA to consider additional factors when a licensee applies for renewal. The bill provides additional staffing requirements including, but not limited to, maintaining a licensed practical nurse on the premises 24 hours a day, five days per week and requiring supplementary training for direct care workers who are not a certified nurse. House Bill 4841 also outlines a series of rights, benefits, and privileges guaranteed under law for residents.

At the hearing on September 19th, the Health Care Association of Michigan, the Michigan Assisted Living Association, the Community Mental Health Association of Michigan, the Michigan National Placement and Referral Alliance, the Oakland Community Health Network, and the Hope Network were some of the entities expressing opposition to House Bill 4841. The Office of the Michigan Long Term Care Ombudsman and the Michigan Catholic Conference support the bill.

#### 4) Updates from our State Legislators

#### 5) Federal Legislative Updates - National Advocacy Needed Now!

The long-awaited House Labor/HHS appropriations bill is unreleased yet has been scheduled for a vote on the House floor the week of November 13. We are calling on advocates to push Congress to protect Older Americans Act funding in any measure!

Our collective goal is to ensure that members of Congress:

1. Protect the Older Americans Act (OAA) from any cuts; and
2. Recognize that funding for the Aging Network's programs and services needs to be significantly increased on a long-term basis for three reasons: to serve the rapidly growing numbers of older adults who need them, to meet the greater complexity of needs among the older adults you serve, and to address the workforce challenges that are affecting older adults' access to services.

The OAA is the cornerstone of the nation's non-Medicaid home and community-based services (HCBS) system. Each year, through the OAA, nearly 11 million older Americans receive critical support from the nationwide Aging Network, which consists of states, Area Agencies on Aging, Title VI aging programs and tens of thousands of local service providers. For more than 50 years, OAA programs and services have been essential to ensuring that older Americans age with independence, health and dignity in their homes and communities. Those programs and services include in-home services, adult day services, home delivered meals, caregiver support services, ombudsman services, information & assistance and supports coordination.

The COVID-era level of funding is what is actually needed even as the pandemic comes to an end, as it reflects a burgeoning older adult population and the increasing complexity of needs of the older adults we serve. Significant increases in appropriations are also required to ensure we can provide the direct care support that our clients require to be able to age well at home and avoid institutionalization. Current challenges with the direct care workforce have made it more difficult to meet the demand for these in-home services and supports and, like all other businesses, the cost to provide services has risen dramatically.

#### 6) Voices from the Aging Network – an opportunity for those in attendance to share what is happening in their organizations and how Congress can help you better serve older adults and persons with disabilities.

#### 7) Other

November is Family Caregiver Month - In support of the state's estimated 1.4 million family caregivers, Governor Gretchen Whitmer has proclaimed November as Family Caregiver Month. Family caregivers provide a broad range of assistance for older adults, service members, veterans, people with disabilities and those with serious and/or chronic health conditions.

Medicaid Health Plan RFP Released – The Michigan Department of Health and Human Services has issued a Request for Proposals (RFP) for Medicaid health plan services beginning 10/1/24 through 9/30/29. The RFP calls for bids in each of the 10 Prosperity Regions of the state. The RFP is designed with a focus on five strategic pillars:

- Serve the whole person, coordinating health and health-related needs
- Give all kids a healthy start
- Promote health equity and reduce racial and ethnic disparities
- Drive innovation and operational excellence
- Engage members, families and communities

MDHHS identifies several changes in this RFP:

- Require Medicaid health plans to achieve NCQA health equity accreditation
- Address social determinants of health through investment in and engagement with community-based organizations.
- Increase childhood immunization rates
- Adopt a more person-centered approach to mental health coverage
- Ensure access to health care providers by strengthening network requirements
- Increase health plan accountability and clarify expectations to advance state priorities

The RFP was issued on 10/30/23. Proposals are due 1/16/24. Currently there are nine Medicaid health plans serving 2.2 million beneficiaries. The RFP is worth approximately \$15 billion. Current market share numbers are:

- Centene/Meridian -- 23.5%
- Molina -- 17.5%
- BC/BS -- 15.8%
- United Healthcare -- 13.6%
- McLaren -- 11.8%
- Priority Health -- 11.5%
- UP Health Plan -- 2.4%
- CVS/Aetna -- 2.2%
- HAP Midwest -- 1.7%

## **8) Wrap-up**