

**CONNECTICUT CONTINUING CARE ADVISORY COMMITTEE**  
**Masonicare at Ashlar Village, Wallingford, Connecticut**  
**Minutes of the Meeting**  
**Friday, October 18, 2013**

**Attendance**

Mag Morelli presided and the following members were present: Darrell Pataska, Jennifer Rannestad, Keith Robertson, Daniel Robinson, Rodney Rolett, Marjorie Sullivan, and Jon-Paul Venoit.

Also present was Rich Wysocki, Principal Cost Analyst of the Department of Social Services. The meeting was open to the public.

Not attending: Billie Alban, William Thompson, and Maureen Weaver.

The meeting was called to order at 10:00 a.m.

**Minutes**

The minutes of the July 19, 2013 meeting were approved as submitted.

**Commissioner's Comments**

Representing the Department of Social Services, Rich Wysocki reported that Carolyn Treiss was no longer with the Department of Social Services (DSS) and that Heather Rossi would take her place as the legislative contact for this committee.

Mr. Wysocki also requested that the Committee consider the question of whether DSS is the appropriate state agency to oversee the regulation of CCRCs. He suggested that the CCRC model of care does not fit into the general scope of work that DSS is responsible for and asked that the Committee specifically consider either the Department of Consumer Protection or the Department of Insurance as alternative agencies. After discussion, the committee overwhelming agreed that they did not want to move the oversight to another agency. However, in light of the fact that DSS has asked for a consideration of this question, the Committee requested that DSS present on the alternative agencies at the next meeting.

**Update on Items from Previous Meetings:**

***GAAP Recommendation to the Commissioner***

Rich Wysocki reported that the Commissioner had received the letter from the Committee recommending that he consider proposing legislation to require that the audited financial statements filed with DSS conform to the Generally Accepted Accounting Principles (GAAP). Mr. Wysocki reported that the Commissioner did not feel that he could compel CCRCs to utilize GAAP.

Ms. Morelli reported that she had sent a letter to the executive directors of all the CCRCs in the state notifying them of the Advisory Committee's recommendation to the Commissioner.

Mr. Wysocki informed the Committee that DSS relies upon the statutory requirement that the filings included audited financial statements. Therefore, it was further determined that the emphasis should continue to be placed on encouraging prospective residents to have the contracts, disclosure statements and filings reviewed by competent professionals prior to signing CCRC contract.

### ***Potential On-line Posting of Disclosure Statements and Link to Website***

Ms. Morelli reported that LeadingAge Connecticut is in the process of developing a CCRC page on their website. The page is being designed for consumers and will include the link to the ConnCCRA Consumer Guide and to the CCRC Disclosure Statements filed with DSS. Mr. Wysocki clarified that he will provide the electronically filed disclosure statements to LeadingAge Connecticut to post on their site, rather than posting them on the DSS site. He also reported that DSS will be requesting electronic copies of the filings starting in December of this year and that it will take a full year to obtain all of the electronic filings.

### **Review of Relevance of the Current Filing Requirement**

Jennifer Rannestad had previously requested that if the statutes were to be opened for the purpose of requiring GAAP compliance, that the current statutory filing requirements be reviewed to see if they could be updated. However, since the Commissioner reported back that he would not be seeking that statutory change; she did not consider the review to be a priority. For the record she listed the following statutory requirements that she considers to be of little value at this time: average age of resident, health care utilization rates, admissions, days of care, and the number of permanent transfers. \

Rich Wysocki asked the Committee whether it would be of value to review and update the entire statute. The Committee was asked to take this question back to their constituencies and be prepared to discuss it at a future meeting. The Committee members were cautioned that proposing legislation to update the statute would open up the opportunity for other interest groups to amend the statute.

### **Resident Rights during the Sale of a CCRC**

Dan Robinson asked that the Committee consider what rights residents have when a CCRC is being sold. Rich Wysocki addressed the historical position of the State when there has been a sale due to financial distress and in those cases the residents' best interests have always been the priority. Keith Robertson stated that this has also historically been the view of the courts. However, there was little information regarding the rights of the residents during a sale by an owner under no duress, and therefore Ms. Morelli was asked to solicit best practices.

### **Cash Reserve for Future Health Care Obligations**

Dan Robinson asked the Committee to consider whether CCRCs should be required to maintain a cash reserve for future health care obligations. Several members of the committee opposed the concept due to the cost burden it would place on the entity. There was also the question raised as to its relevance in the current market place where life care contracts are no longer the predominant contract model.

### **Matters Brought by ConnCCRA**

Georgia Erickson, President of the Connecticut Continuing Care Residents Association (ConnCCRA) notified the Committee that she would be submitting a formal letter outlining three areas of concern for the Committee's consideration at the January meeting. The three areas of concern are 1) that debt be incurred for the sole benefit of the CCRC in question, 2) that residents participate meaningfully in budget processes involving the monthly service fee, and that all monies from the monthly service fee be used exclusively for the CCRC in question, and 3) that owners inform residents well in advance of any contemplated increase in debt, change in lending bank(s), or increase in the monthly service fee; and that owners ensure that time and opportunity are available for meaningful discussion with residents prior to changes taking effect.

Ms. Morelli will circulate the formal letter to the Committee when it is received and members were asked to consult their constituencies on these issues prior to the next meeting.

Billie Alban sent an email requesting that the Committee ask the Commissioner to recommend to Governor Malloy that medical establishments across the state be asked to assist their low vision patients by printing medical history forms, consent forms, medication instructions, potential adverse effects of medications, and test results, in a reasonable sized font; Arial or Tahoma (14) bolded. The Committee agreed to send this request to the Commissioner.

### **Meeting Schedule**

The following meeting dates were set for 2014: January 17, April 11, July 18 and October 17.

### **Audience Comments**

Ms. Morelli asked for comments or questions from the members of the public in attendance. Robert Neagle, CCRC resident, commented on three issues. First, he voiced support of a health care reserve requirement. Second, he voiced support of resident representation on CCRC board of directors so as to monitor the month to month financial performance. Third, he wanted to make the Committee aware of the new model of a "CCRC without walls" and the Committee members commented that they were aware and that the model must comply with the CCRC regulations. Carol Issics, CCRC resident, voiced her support of moving the CCRC regulation to the Department of Consumer Protection.

### **Next Meeting**

The next meeting of the Committee will take place at Masonicare at Ashlar Village in Wallingford, Connecticut on January 17, 2014.

### **Adjournment**

Ms. Morelli extended her thanks to Masonicare at Ashlar Village for hosting and the meeting was adjourned at 12:00 p.m.

Accepted as amended January 17, 2014