



Southwestern Pennsylvania Partnership for Aging (SWPPA) is a 27-year-old, volunteer-led organization with over 300 members who represent over one million older adults across 10 counties of Southwestern Pennsylvania. The 10 counties served are Allegheny, Armstrong, Beaver, Butler, Fayette, Greene, Indiana, Lawrence, Washington, and Westmoreland. SWPPA's mission is to serve as a catalyst to promote policy, program and systems change that improves quality of life for older adults.

SWPPA was created as a neutral forum for collaboration, information and best practice sharing, discussion and formulation of aging policy recommendations. We encourage and invite participation across all stakeholders interested in positively impacting older adults.

SWPPA's Policy Committee has identified four (4) areas of importance in relation to issues, policy, service and supports for those who are aging or disabled in Pennsylvania. To assure our members are making informed voting decisions this year, we respectfully ask you to review each area below and respond to the questions presented.

## Western PA LGBTQ+ Older Adult Advocacy Team

With a vision for fully inclusive communities where LGBTQ+ older adults have adequate and equal access to resources to live and thrive in safety, comfort, and with respect, the Western PA LGBTQ+ Older Adult Advocacy Team formed in early 2021.

The Team is a grassroots organization of persons who seek to advocate for LGBTQ+ older adults in the areas of housing, health and safety, social isolation, and transportation. Our mission is to educate and enable people to work in local settings to change laws, ordinances and social attitudes that will benefit the LGBTQ+ and other aging populations.

### **Candidates Forum Questions:**

#### **1. LOTTERY**

In 1972 the Legislature established the Pennsylvania Lottery to provide a restricted fund outside of the General Fund to assist low-income elderly residents to be able to remain in their own homes and to avoid institutionalization. The first program was property tax and rent assistance. As the Lottery grew the Legislature authorized additional programs to include off-peak transportation, pharmaceuticals, and other services through an Options program, administered by Area Agencies on Aging. These services are part of the general term Home and Community Based Services (HCBS) and include such things as home care and adult day services, all of which are designed to assist low-income elderly who do not qualify for similar Medicaid services. Adult protective services, senior community centers and the operation of the Department of Aging also are funded through the Lottery.

Several years ago the Legislature began transferring Lottery funds to the General Fund to support Medicaid programs and institutionalization, creating an ongoing waiting list for Options services described above.

***Please explain your position on the preservation and use of Lottery revenues to fund services for older Pennsylvanians.***

I believe it is critical that we preserve and use Lottery revenues to fund services for older Pennsylvanians.

***What are your thoughts about the practice of shifting lottery funds from HCBS to support institutionalization and what position would you take in that regard?***

As an emergency physician, I regularly care for the elderly, both from home and institutionalized settings. By far, investing in in-home care and support of our elderly population is better for the individual and our community. I would therefore like to see more of the Lottery funds stay in HCBS.

## **2. OLDER ADULT PROTECTIVE SERVICES ACT/ADULT PROTECTIVE SERVICES**

Older Adult Protective Services (OAPS) have been the long-standing responsibility of several areas of government. This law provides a means to protect vulnerable older adults. The Area Agencies on Aging (AAAs) are responsible for assuring their areas have trained, functioning workers and processes who investigate suspected abuse, neglect, and exploitation. Their first goal is always to help the older adult and family to assure safety and meet needs. Police` departments and attorney generals/prosecutors may also become involved if the circumstances meet the threshold for being a crime and to protect citizens. Pennsylvania's law outlines who must report suspected abuse, neglect and exploitation (mandatory reporting). It also limited who is eligible to work with vulnerable older adults in certain care facilities and for certain care providers, such as nursing homes and home health care, based upon criminal history. People with many types of conviction had lifetime bans on employment in the field. This aspect of the law was challenged in Commonwealth Court and a December 2015 decision struck down the ban necessitating reconsideration of this law to balance the safety needs of older adults and the rights of citizens to work in aging services. The law created barriers to finding workers in a field that needs to increase its workforce. Additionally, many advocates in the field recognize that the law could better address financial exploitation. Legislation has been introduced by Rep. Tim Hennessy and Sen. Bob Mensch to amend this act. It is not clear that it will pass this legislative cycle and may come up in the next general assembly.

***What are your thoughts about balancing the need to protect vulnerable older adults and to assure the rights of Pennsylvania workers?***

As a general principle, the protection of vulnerable older adults has to be the priority. But we also must recognize that certain non-violent, non-exploitative criminal histories with evidence of rehabilitation may be appropriate to work with the elderly with rigorous oversight.

***Do you have a position on expanding efforts to recognize and address financial exploitation, which will mean including the banking and financial services industries in ways they have not been involved up to this point, including allowing them to freeze assets prior to an investigation by state and AAA authorities?***

I do not have a position and need to learn more about how we balance individual freedom and protections against exploitation of the vulnerable elderly.

### 3. DIRECT CARE WORKFORCE ISSUES

Nationally, we are in the midst of a direct care workforce crisis: As demand for direct care workers in a variety of long-term care settings continues to rise rapidly, the ability for Agencies to attract and hire at an equal pace is decreasing.

The U.S. Bureau of Labor Statistics estimates an additional 1.1 million direct care workers will be needed by 2024 — a 26 percent increase over 2014. Yet, the population of potential workers who tend to fill these jobs, overwhelmingly women ages 25 to 64, will increase at a much slower rate. Other factors also impact this potential workforce – a robust economy offers workers more options with greater pay in less physically demanding settings; low Medicaid reimbursement rates (Medicaid funds a large portion of long-term services) make it impossible for direct care employers to adequately compete for these workers.

In Pennsylvania, the reality is just as startling. Our senior population is growing 20 times faster than Pennsylvania's overall population. By 2025, 1 in 5 Pennsylvanians will be older than age 65, with those younger than 65 steadily decreasing (based on US Census and PA State Data Center statistics). And so the challenge is, *who is going to care for our aging seniors?*

The most cost-effective type of care is care provided in settings of least restriction – most commonly home. Medicaid dollars can provide more care to more consumers over a longer period of time in less expensive settings. Unfortunately, without an adequate workforce to support care in this setting, we will never fully realize the impact of this cost saving approach. The primary obstacle in building a strong direct care workforce is low wages and unstable work conditions, driven largely by low Medicaid reimbursement rates.

In Southwestern PA, Medicaid funded personal assistance services reimburses at a rate of \$19.32/hour. The average hourly wage of a personal care aide is just over \$10/hour. The additional costs for benefits, insurance, training and supervision can easily add another \$5 to \$7/hour to the hourly cost to provide care. In order to remain operational, agencies who provide Medicaid funded services must struggle to keep costs under \$19.32/hour, which means keeping wages low, reducing the benefits offered and limiting quality and oversight activities, which are costly. The daily reimbursement rate for adult day services has not been increased in twelve years. This reality further challenges providers in their effort to attract and retain a viable workforce.

***Given Pennsylvania's aging demographics, the increasing demand for Medicaid waiver funded services and the current direct care workforce crisis, what recommendations might you make to assure Pennsylvania can create a robust and ready workforce, supported by living wages, able to meet the demand for care?***

I absolutely agree that investment in in-home care for the elderly is critical. We need to increase Medicaid reimbursement to reflect the costs of care and recognize that over the long-term, this is far more cost-effective than institutionalization. We also must make our State more attractive to workers, including immigrants, who may be the labor force to fill this gap.

***What measures would you advocate for in changing this and improving our reimbursement rates in Southwest PA?***

I am supportive of finding ways to increase reimbursement for in-home care for the elderly. This will require significant consideration of dedicated revenue streams that may not be in place today.

#### **4. LGBTQ+ EQUALITY FOR OLDER PENNSYLVANIANS**

Pennsylvania's lack of a comprehensive anti-discrimination law allows a Pennsylvanian identified as LGBTQ+ to be denied housing, employment, and access to public accommodations simply because of their sexuality. PA HB 300, commonly called the Fairness Act, seeks to amend the Pennsylvania Human Relations Act, the state's non-discrimination law, to include "sexual orientation" and "gender identity or expression" as protected classes. Also, PA SB 437 is titled "LGBTQ Senior Community Grant Program Act" was introduced to award grants to non-profit organizations and local governments for health care, cultural competency, computer training, job placement, social activities, and other programs that specifically help the LGBTQ+ senior community.

***Please state your position about legislation that ensures justice and equality for LGBTQ+ older Pennsylvanians.***

I am supportive of both pieces of legislation.