



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.

Opening Statement

Let me first start by saying that, I believe the country as a whole is failing its aging citizens. We are all told that if we work hard and pay into a system that we will be paid back when we reach a certain point in our lives. As most of you know, this system is now failing the people it was meant to serve. Yet, politicians and candidates are still making promises about retirement that they have no right to make. We as a society need to recognize that there is a bigger issue that needs to be addressed.

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

The establishment of the PA Lottery should have been a means to correct a simple oversight in a budgetary flaw within our retirement system. This program since its creation has worked to provide benefits to those who were unable to qualify for all of the expenses associated with a larger aging population. While other states use their lottery proceeds to benefit other underfunded areas of this government, Pennsylvania chose to address a substantial portion of its existing population. As someone who has seen firsthand the benefits of this program. I believe that the preservation and use of the lottery revenues should go back to where they previously were, to the citizens that have worked their lives under a promise that they will be taken care of when they stop working.

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?

The idea was originally to expand option services to allow more access for a larger area of support. I believe that using these funds outside of this area misrepresents how the lottery is raising money from working class people. We cannot continue to take from successful programs, as a means to put a bandaid over bigger issues that are only going to get worse.

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 successfully challenged in Commonwealth Court. A December 2015 decision struck down the ban and has necessitated 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. HB2549 was in 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?

I believe that we need to do more to protect the exploitation of our aging population, while allowing them to keep a degree of independence. This means allowing them to stay in their homes they have worked so hard to maintain. We then must find a solution to maintain a fair working environment for workers. I believe that we need to take the time to establish exclusionary rules for crimes that could potentially harm or endanger the well being of aging adults within the commonwealth. Our criminal justice system is far from perfect, we need to be able to address issues of employment while simultaneously addressing other issues in Pennsylvania

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 support any endeavor that will protect the assets, or financial well being of our aging population. There are many issues within our financial sector that impede the rights of our citizens to protect their financial interests. This has been an ongoing issue that needs to be addressed

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 question 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 believe that we need to address some of the inadequate Medicaid funding equations that apply to nursing home facilities. I have lived beside and have spoken with many people who work in some of the facilities across the commonwealth. I have heard horror stories about these facilities taking advantage of a broken system to line the pockets of their CEOs and corporate executives. I believe that we need to start auditing nursing care facilities to ensure that the facilities are properly utilizing state funding. Especially those that put claims in excess to Medicaid. In many of these testimonials from constituents, some of the most common practices are to bolster percentages to increase the amount of funds they receive. COVID helped identify these issues in a more widespread manner, however, these were existing issues that needed to be addressed.

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The US is facing a nursing shortage, not just in the people who are interested in pursuing a career in this field but also the per capita generational divide. The population of workers that could potentially care for our aging population does not proportionally reflect those entering retirement age. The first thing I would suggest is to create a tax base to offset the Medicaid reimbursement rates. Once that is in place, create an incentive program that would allow family members to collect funds for caring for their parents allowing them to stay in their own homes. Should these two areas not do enough to offset the reimbursement gap and incentivize a growing workforce. I would push to expand work visas to the population of immigrants seeking a better life. This work visa program would allow for immigrants to gain access to legal means of citizenship through programs that would teach and train immigrants and accredit and aide their citizenship. It would address the population differential and provide a viable temporary relief to this shortage until the Medicaid issue is addressed.

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.

As a member of the LGBTQ+ community, I will always advocate for equitable rights to be applied to all LGBTQ+ citizens. I will hold to the belief that if a public system excludes one group or even one individual from access to public accommodations, it cannot be considered public. To this day, LGBTQ+ individuals have been fighting for the right to have the same opportunities as everyone else. Pennsylvania deserves people that will stand up against the injustice LGBTQ+ people face on a daily basis. A majority of the Pennsylvania State legislature does not understand what it is like to lose their job, their home, or be told they do not belong somewhere simply because of who they are or who they choose to marry. If they do not understand what it is like to face these challenges, they will never be able to see why this is such an issue. It will never be a priority for our legislators, when there isn't a voice at the table to help them understand. As a member of this community, I will always be able to give the perspective of an LGBTQ+ member in all of the legislation that is on the agenda, and some that have not been a priority to our current legislature. As not only the first Transgender person to run for the office of PA State Senate, I will be the 2nd in the country elected to that level of office. I will be the only

out Transgender person in both PA state houses, but also be able to advocate within the State Senate on all LGBTQ+ issues.