

For: City Council agenda item #2 :

16-0743: Biennial Review of Priority Needs for Human Services and Recommendation to City Council

Dear Council Members of the City of Sunnyvale,

My name is Milton Cadena and as the Program Director of Adult Day Care Services of Catholic Charities in the City of Sunnyvale. I would like to express my gratitude to you on behalf of my program and more importantly on behalf of the beneficiaries of our services in this wonderful City; at the same time that I plead for your support.

The ultimate purpose of our service is to improve the quality of life of senior residents in the City of Sunnyvale, by helping seniors to age in place and keep socially active during their later years, and also enabling families to keep their love ones at home for as long it is possible, delaying premature institutionalization, depression and dead; and also to alleviate the high cost of senior care for these families.

The grant provided by the City of Sunnyvale helps to subsidize for some Adult Day Care hours for families who cannot cover for services, allowing them to access a minimum of respite care and/or extend the number of days they can use such services. However, this is not enough in comparison with the demand on this community group.

We think that adult care, home care and family caregiver services are to increasing needs that are not being met, especially for the medium low-income families in Sunnyvale. We invite you to explore the option to assist this segment of the population in your community.

We look forward to keep serving this wonderful City and its strong sense of community support for the elderly, whose needs are increasingly being ignored and eventually will generate a crisis, based on the number of seniors we will see increasing in our census in the near future.

As always, thank you for your support and for believing in Community Based Organizations!

Respectfully,

Milton R. Cadena, MPA
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City of Sunnyvale Commission Meeting

1 message

Colleen Hudgen

Wed, Oct 19, 2016 at 10:56 AM

To: Edith Alanis

Hi Edith,

As I mentioned earlier, I will not be able to make it to the meeting on tonight, however, I am submitting the attached letter that has been submitted to the Santa Clara County Board of Supervisors regarding the documented need for additional funds to provide adult day care services to frail at-risk seniors, who cannot afford to pay even modest fees for these services that in some case can be life sustaining. I have been a member of the Santa Clara County Senior Care Commission for the past sixteen years, hopefully providing advocacy and giving voice to the isolated, frail, at-risk and sometimes disenfranchised seniors who suffer in isolation and silence due to no fault of their own, they simply out-lived their retirement plan or had an unplanned catastrophic health crisis that can befall any one of us.

As the County and the City of Sunnyvale, in particular moves towards becoming "Age Friendly" these and other critical issues like rising housing cost (or lack thereof) and affordable health care must be factored into the equation.

I kindly ask that the Commission take time to read and consider the recommendations of this Adult Day Care Report as they move forward with planning for the FY16/17 RFP process.

Humbly Submitted,

Colleen Hudgen

Executive Director

Live Oak Adult Day Services



Senior Care Commission Adult Day Services Report Recommendation.pdf

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County of Santa Clara Senior Care Commission

Senior Care Commission County of Santa Clara Report on the Adult Day Services Study Session of February 10, 2016

Executive Summary

Adult Day Services (ADS) are critical to the physical and mental health of our older and disabled adults and their caregivers. They also are important to the economic health of the caregivers and of Santa Clara County. These State-licensed, non-residential, service-rich programs are a critical part of an integrated long term services and supports strategy. They provide essential services to persons needing help with Activities of Daily Living. These services, provided to support aging in place, are far less costly than the hospital, emergency room and skilled nursing services that are likely to occur if ADS are not available. Moreover, having these services available reduces the number of family caregivers that are taken out of the workforce in order to provide full-time care to loved ones.

The ADS study conducted by the Senior Care Commission revealed that several types of this essential service are available in the County; however, third party reimbursement is very limited, making the service unaffordable to many County residents who would benefit greatly from ADS.

THE SANTA CLARA COUNTY SENIOR CARE COMMISSION RECOMMENDS THE FOLLOWING ACTION: ASSESS THE FEASIBILITY OF A 5 YEAR PILOT ADULT DAY SERVICES SUBSIDY PROGRAM WHICH WILL SERVE ANNUALLY UP TO 183 UNSERVED AND UNDERSERVED SENIORS AND PERSONS WITH DISABILITIES WHO OTHERWISE QUALIFY FOR ADULT DAY SERVICES.

Introduction

Santa Clara County, like most of the United States, will be experiencing tremendous growth in the senior population over the next 10 years. There are currently around 200,000 individuals aged 65 and over living in Santa Clara County, representing over 11% of the population. This number is expected to double, with approximately 450,000 or 22% of the population being over 65 in 10 years. Given life expectancy projections, the senior population living over the age of 75, 85, and 100 will increase at the greatest rate.

As the aging population grows the need to care for their physical and mental health needs increases. Greater numbers of seniors will need supportive services and specialized geriatric health and mental healthcare. Importantly, it is expected that within 15 years the number of residents with Alzheimer's disease will double from the current estimate of 30,000 to about 60,000 people.

The majority of older adults and individuals with disabilities desire to age in place. Aging in place is the ability to live in one's own home and community safely, independently, and comfortably, regardless of age, income, or ability level. Aging in place not only is important to individuals to preserve independence and well-being but also shapes the way the services needed to support them in their home and communities are delivered.

For individuals that require assistance with activities of daily living, increased levels of support are needed. Basic activities of daily living are functional mobility, bathing, self-feeding, toileting, grooming and dressing. Instrumental activities of daily living are shopping, housekeeping, accounting, food preparation, medication routine, using the telephone/computer and transportation.

Ultimately, aging in place is key to fulfilling the Santa Clara County Board of Supervisors' commitment to being an Age Friendly Community.

Description of Adult Day Services

Adult Day Services are a critical part of the continuum of care that supports aging in place and the community's long-term care strategy. ADS are professional care services provided in a licensed facility where older adults, adults living with dementia, or adults living with disabilities receive individualized therapeutic, social, and health services for some part of the day. While providing person-centered, individualized care to the participating adult, ADS also provide needed support for caregivers, allowing them to maintain jobs and to reduce the stress and burn out that often accompany the responsibility of around-the-clock caregiving.

Without this level of care both the affected adults and their caregivers are likely to utilize higher than needed and more costly levels of care such as inpatient hospital stays, emergency room visits and long term stays in skilled nursing facilities.

There are two types of Adult Day Services in California and one overlay. The basic types are the Adult Day Program (ADP) and the Adult Day Health Care (ADHC). The overlay is the Alzheimer's Day Care Resource Center (ADCRC). These services are defined as follows:

Adult Day Program (ADP): These programs are also known as "social-model programs" where a community-based facility provides care to persons 18 years of age or older in need of personal care services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. At a minimum, ADPs provide the following: individual plan of care; activity programs; dietary services; meal/snacks; personal care; and, supervision.

Adult Day Health Care (ADHC): These programs are also commonly referred to as "healthcare programs" or "medical-model programs" where an organized day program of health services, therapeutic activities and social services for frail elders or adults with chronic, disabling, medical, cognitive or mental health conditions who are at risk for institutional placement are provided. These programs are funded under the Community-Based Adult Services (CBAS) component of Medi-Cal and the participant must be enrolled in a managed care plan and meet a nursing home level of care to qualify.

ADHC participation requires a physician referral, provision of all of the services of ADP, plus the following: transportation; medication administration; social services; skilled nursing; physician services; mental health services; occupational therapy; physical therapy; and speech therapy.

Alzheimer's Day Care Resource Center (ADCRC): This type of ADS is a specialized program that is within the ADP or ADHC settings. The ADCRC specifically address psychosocial, mental, functional, and cognitive needs of persons with dementia by assisting each person to function at their highest level, while providing caregiver support and respite.

Santa Clara County Senior Care Commission study of adult day services

Over the last six months, the Senior Care Commission has studied ADS in Santa Clara County. The Commission recognized the role of Adult Day Services in supporting the senior population and their caregivers in the County, and wanted to evaluate the utilization of these services in the community.

The Commission's Community Care Committee recommended that a survey for Adult Day Center providers should be used in addition to planning a Commission study session to gather information and provide a forum to discuss the topic. The Commission identified these areas of focus:

- Available services
- Population needs
- Benefits of participation
- Cost of services and affordability
- ADS capacity
- Caregiver burden and benefits
- Impact on hospital and other institutional use

In December a Provider Survey was sent to the eleven non-profit medical and social based Adult Day Center programs in Santa Clara County (Attachment A), with the following providers responding:

- Catholic Charities, Day Break Cares
- Alzheimer's Activity Center
- Yu-Ai Kai Senior Day Services
- Saratoga Adult Care Center
- SarahCare of Campbell
- Live Oak Adult Day Services (4 program sites)
- Avenidas Rose Kleiner Senior Day Health Center
- Grace Adult Day Health Center
- Hope Services

The provider survey captured information on capacity, referral source, fee structure, and financial support for the Adult Day Services. The results were analyzed and follow-up for clarification was conducted.

At the February 10, 2016 Senior Care Commission meeting, the Commission held a Study Session on Adult Day Services (Attachment B). Members of the public were invited, with over 25 attending. The speakers attending the study session were:

- Trudy Johnson, MA, RN, NEA-BC, Chief Nursing Officer Santa Clara Valley Medical Center
- Lisa Stroud, RN, MS, PhD (c), Director of Care Management, Santa Clara Valley Medical Center
- Stephen Schmoll, Chief Executive Officer, Sourcewise
- Lori Anderson, Operations Director, Santa Clara Valley Health Plan
- Alexandra Morris, Family Care Specialist, Alzheimer's Association
- Gary Steinke, MD, Founder, Alzheimer's Activity Center
- Colleen Hudgen, Executive Director, Live Oak Adult Day Services
- Tatiana Colón, Director of Older Adult Services, Santa Clara County Catholic Charities
- Thomas Pamilla, MSW, Director Avenidas Rose Kleiner Center
- Annie Zacanti MA, MPA/HSA, Program Manager On Lok Lifeways

The Study Session presenters focused on ADS impacts on integrated long-term care service delivery, hospitalization avoidance, financing, family and caregiver benefits, and the physical, social, and emotional support it provides to its participants.

In addition to the survey and study session, Commissioners conducted interviews with regional providers, policy analysts, and other key informants.

Key findings, the Commission's conclusion, and recommendations follow.

Dementia

Adult Day Service providers reported on average that over 80% of their participants have dementia, Alzheimer's, or other cognitive impairment.

As one of a select few communities engaging in a groundbreaking national effort, the County Board of Supervisors pledged that Santa Clara County will become Dementia Friendly. Ensuring ADS for lower income individuals suffering from dementia and their families evidences the County's commitment to this endeavor.

Caregivers

Adult Day Services provide respite for families and in-home caregivers, allowing the caregivers to resume a balance of daily life activities. The services not only reduce isolation for the participant but for also the caregiver, who in many situations may be the spouse or adult child. In addition to allowing for a break from caregiving, Adult Day Services provide for the opportunity to access community support and additional resources.

Nationally, one in six employed people are caregivers for an elder or disabled family member, relative, or friend. Caregivers report that their work suffers from caregiving, with 56% working full-time, 16% working 30-39 hours per week, and 25% working less than 30 hours per week. Working caregivers report having to adjust their schedules, reduce work hours, and suffer loss of income. These workplace stressors are experienced in addition to the responsibilities of caregiving to the senior.

Caregiving for a senior with Alzheimer's disproportionately impacts lower-income individuals and minority households, where there are no family resources to pay for care or support. According to AARP, 47% of caregivers nationally have an income of less than \$50,000 annually, 20% have a high-school education or less. For African-American and Latino households, 60% of households report less than \$50,000 annually.

Financing of Adult Day Services

The regional Adult Day Program (ADP) cost of providing services to a participant is on average \$100 per day. The majority of the ADP programs in the County secure some combination of local government contracts, foundation funding, Older Americans Act dollars via the Area Agency on Aging (Sourcewise), and donor funding, to allow lower income participants to pay on a sliding scale. These subsidies from outside sources for the ADP centers lower the participant payment on average to a range of \$15 to \$65 per day. Notwithstanding these subsidies, this monthly out-of-pocket of \$300 to \$1,300 still remains out of reach for many.

For Adult Day Health Centers (ADHC) the cost of providing services to a participant is on average \$140 per day. Most ADHC/CBAS participants are enrolled in Cal MediConnect, where the reimbursement is \$76.27 from Medi-Cal. The remaining costs are covered through local government contracts, foundation funding, and the facility's fundraising activity. If the participant has not enrolled in a managed Medi-Cal managed health plan, the cost is completely passed on to the participant. Note that the difference of the true cost of care and the Medi-Cal reimbursement amount cannot be billed to the participant, leaving the providers operating at a significant deficit.

The Department of Veteran Affairs and some private long-term health insurance policies also pay for ADP and ADHC services. Survey responses from Adult Day Service providers reported that between 3% and 11% of participants have these sources of payment. The San Andreas Regional Center that serves adults and

children with developmental disabilities also can fund services at these facilities. Notably, HOPE services operates an ADP for adults funded entirely with San Andreas Regional funds. Other area centers report a small participation of qualified individuals at their centers.

In sharp contrast to the cost for ADS, one day of emergency care hospitalization for a senior experiencing multiple health issues in Santa Clara County costs over \$10,000. In addition, Valley Medical Center is experiencing increasing numbers of frustrated family members dropping off loved ones for whom there is no dementia care. The hospital receives no reimbursement for the days in which such persons are hospitalized because they do not have a treatable diagnosis. Santa Clara County Fire and sheriff/police representatives also report desperate “dumping” of persons with dementia.

Utilization of Adult Day Services

In Santa Clara County Adult Day Care Services are not being used at full capacity. County-wide, there are over 730 spaces available for participants and more than 25% of those spaces are not accessed. One of the primary reasons for the underutilization is the lack of financial means of seniors and individuals with disabilities to pay the cost of the care.

Conclusion and Recommendation

Having analyzed the information from the Adult Day Services survey, the study session presentations and interviews from key informants, the Senior Care Commission concludes that Adult Day Services are an underutilized, underfunded, yet highly cost-effective strategy for supporting the aging in place population in general. It is particularly so for those with dementia and their caregivers.

Adult Day Care provides appropriate services and support at a small fraction of other care costs and extends the health, well-being, and maximum functionality of its participant. Extended well-being and functionality of the aging in place population defers hospitalization and reduces demands on crisis services.

Adult Day Services provide respite for families, allowing for a balance of daily life activities. The ADS not only reduce isolation for the participant but also for the caregiver, who in many situations are the spouse or adult child. In addition to allowing for a break from caregiving, Adult Day Services provide for the opportunity to access community support and resource.

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Respectfully submitted,

Pamela Bancroft

**Pamela Bancroft, Chairperson
Santa Clara County Senior Care Commission**

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Attachment 2
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October 19, 2016

Suzanne Ise
Katrina Ardina
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**RE: Comments for Biannual Review of Priority and Unmet Needs for
Human Services in Sunnyvale for FY 2017-18 and FY 2018-19**

Dear Ms. Ise and Ms. Ardina,

Senior Adults Legal Assistance (SALA) submits these comments for the public hearing before the Housing and Human Services Commission regarding the Biannual Review of Priority Needs for Human Services in Sunnyvale. A SALA representative cannot attend this evening, so we request that our letter be distributed to the Commission and that these written comments become part of the hearing record.

We understand the Commission is interested in receiving input on priority and unmet needs that will be included in the Request for Proposals for fiscal years 2017-18 and 2018-19. The need for **Legal Assistance for Sunnyvale seniors** that are low income and at-risk is one such area.

This priority need is identified in Sunnyvale's 2010–2015 HUD Consolidated Plan (CON PLAN) under Goal C, Objective #1 D, and is referenced in the staff memo on page 3 as follows:

“other specialized supportive services as may be requested by the community, such as ... legal assistance for seniors.” [Emphasis added].

SALA is currently receiving Human Service Grant support from Sunnyvale for our Legal Assistance to Seniors project targeting low income and at risk Sunnyvale clients because our program aligns with this CON Plan priority.

We hope that our comments will confirm that specialized supportive services for seniors, and in particular Legal Assistance for lower income and at risk seniors, continue to be high priority and unmet human service needs for Sunnyvale, especially in light of the fact that seniors are the fastest growing segment of the population and funding for senior services has not kept up with this growth.

The remainder of this letter documents the need for Legal Assistance for seniors and provides information about the legal services SALA provided to Sunnyvale residents in FY 2015-16. That information will also demonstrate that legal issues are often imbedded in many areas of service essential to the elder population's daily survival.

THE NEED FOR LEGAL ASSISTANCE FOR SENIORS

We preface this section by noting that Legal Assistance provides support to elders across numerous fields of human service, so the need for this service tends to be under-reported and under-ranked as a priority when funders conduct needs assessments. For the foregoing reason, our comments are limited to the need for Legal Assistance by elders. The limitation of our comments to this need area should not be construed as our position regarding the relative merits of any other human service needs in Sunnyvale or as an indication that we believe that they are not important needs as well.

A. Documentation of Need from Local Needs Assessments

Needs reports prepared by Council on Aging (now known as Sourcewise) and by the County of Santa Clara provide documentation of the critical need for accessible and affordable legal services for local elders, in particular for those seniors that are low income or at risk (SALA's target population), to keep them independent and to prevent their abuse, conservatorship, or premature institutionalization.

The Council on Aging (COA) Area Plan on Aging 2009-2012 notes that legal assistance is a priority need *"to help older persons to obtain services and benefits including protective services for financial abuse, competence and conservatorship"*. COA's Area Plan for 2012-16 affirms that legal services are a priority service and notes such services *"are crucial in helping keep seniors in their homes"* and *"are absolutely vital to those in need of them."* The most recent Area Plan for 2016-2020 further affirms that legal assistance continues to be *"priority service"* for seniors in Santa Clara County.

Unmet Civil Legal Needs of Indigent Residents of Santa Clara County, a report prepared for the Santa Clara County Board of Supervisors (BOS) in August 2001, confirms the findings above and notes: *"legal representation and counsel can be essential to the elderly and their families in gaining access to health, income, and social services."* More recently Santa Clara County Seniors' Agenda: A Quality of Life Assessment, a report prepared for the BOS in April 2012, identified legal assistance and elder abuse prevention as key service/safety net needs, noting SALA *"is the only non-profit elder law office in the county focused on the legal needs of seniors"* and that SALA's target population includes *"seniors who are most likely at risk for abuse, exploitation, and institutionalization"*.

The Senior's Agenda further states that one of the big challenges to providing free legal services to seniors are the drastic reductions in funding that have taken place and increased over the last several years, noting that two major consequences of reduced funding are an increase in the waiting lists and a decrease in the number of clients to be served. Significantly, waiting times for SALA appointments at many of the agency's community based sites average a minimum of 2 months.

The need for services for seniors, including legal services, will continue to grow along with the older population. United Way's Community Impact Report notes the older population is expected increase from 11% to nearly 27% of the County's population by 2040. It also states that *"the growing number of older adults will undoubtedly require an increase in human services delivered to this population."*

We believe the sources above document that Legal Assistance continues to be a need that is critical to the lives and well being of Sunnyvale seniors, particularly those that are at-risk and/or low-income. We also believe this documentation supports the conclusion that Legal Assistance is a key access service for seniors and their families or caregivers. These reports could also support the interpretation that Legal Assistance is the most critical of access services because, as a provider of last resort, Legal Assistance is necessary to enforce elders' rights to services and public benefits after preliminary access has been denied. These needs reports also identify the linkage between Legal Assistance and Protective Services (including prevention of elder abuse and conservatorship), yet another factor that should support the ranking of Legal Assistance as a critical service need.

B. Documentation of Need from SALA

Founded in 1973, SALA is the only legal aid agency in Santa Clara County designated by Sourcewise (formerly Council on Aging) to provide free Legal Assistance exclusively to elders under the Older Americans Act. SALA is also the only provider of free legal services with a physical presence in Sunnyvale, making our services accessible locally to Sunnyvale seniors. Specifically, SALA currently provides services at least twice monthly at the offices of Sunnyvale Community Services.

Consistent with the mandate of the Older Americans Act, SALA targets our legal services to elders countywide and in Sunnyvale who have low incomes, are frail, or are at-risk of abuse, isolation or institutionalization. Due to their low-income status, many of SALA's target clients are underserved because they struggle to provide for their basic needs (food, medical, housing, transportation) and cannot pay a private attorney \$400 to \$500 an hour. Our target clientele is also at higher risk (in Greater Social Need) due to characteristics (age 75/+ or disabled) many exhibit that are cited below.

Statistics for SALA clients from Sunnyvale provide support for the assessment that Legal Assistance is critical to the lives and well being of the most vulnerable and at-risk elders in Sunnyvale.

Specifically, in 2015-16 SALA provided free legal services to more than 100 Sunnyvale residents age 60 or older. Most had characteristics that put them in great economic need or at some level of being "at risk" of abuse, isolation, conservatorship, or premature institutionalization as noted below:

- **45%** were **extremely low income** (incomes at or below 30% of the county median)
- An additional **20%** were **very low income** (incomes at or below 50% of the county median).
- **48%** were **age 75 or older** (placing them at higher risk according to the Older Americans Act)
- **30%** were **disabled** (placing them at higher risk according to the Older Americans Act).

In addition, **57%** of the Sunnyvale seniors served were female and **50%** self identified as minority elders. We believe that these statistics for SALA clients also align with the Priority Client Types noted in the 2015-2020 CON Plan and in the staff memo on page 2, specifically very low income, extremely low income and/or other special needs populations including seniors.

The critical role SALA plays in the lives of elders countywide, and in Sunnyvale, is also illustrated by the types of legal problems for which they request our assistance. These requests address a broad spectrum of legal issues including: (1) **Housing** (landlord-tenant and fair housing/reasonable accommodation matters) and **Public Benefits** (Social Security, SSI, Medicare, Medi-Cal, In Home Supportive Services) to meet their **Basic Needs**; (2) **Elder Abuse Prevention** (through court issued Restraining Orders or other interventions); and (3) **Legal Planning for Incapacity/End Stages of Life** to maintain their independence, prevent conservatorship, and support Aging in Place.

We close this section by noting that the increasing need for Legal Assistance for seniors over the past decade has created a demand that far exceeds the existing service levels of SALA, the sole provider of such services locally. Moreover, funding for SALA's services has not keep up with the demand, creating waiting times for an appointment with SALA at many of our 20+ appointment locations that now average two months. The Santa Clara County Senior Agenda report notes that this will only get worse: *"The coming "age wave" will increase the demand for these [legal] services and currently service providers are fighting for their own survival while attempting to advocate for seniors"*

SUMMARY

We believe that we have demonstrated that Legal Assistance continues to be a need that is critical to the lives and well being of elders in Sunnyvale, particularly those that are low income or at risk. The importance of Legal Assistance in the area of Incapacity/End of Life Planning and Elder Abuse is also documented, as is the role of Legal Assistance as a "safety net" service and key access service to ensure elders' adequate income, housing, basic necessities, safety, and independence.

Lastly we hope that we have demonstrated that Legal Assistance to Sunnyvale elders as provided by SALA align with the Priority Client Types (***very low income, extremely low income and/or other special needs populations including seniors***) and with Priority Needs (***other specialized supportive services as may be requested by the community, such as ...legal assistance for seniors***) set forth in the current Sunnyvale CON Plan.

The City of Sunnyvale staff is recommending **Alternative #1** that reaffirms the current list of priority needs from the 2015-2020 CON Plan, which they excerpted on pages 2 and 3 of their memo. We encourage the Commission to support this recommendation.

We also hope that the Commission will support **Alternative #3** to set aside \$100,000 in supplemental funding for Human Service Grants, which in the past has supported funding for projects such as SALA's Legal Assistance to Elders.

We thank you for the opportunity to submit these comments.

Respectfully submitted,



Georgia Bacil
Directing Attorney