

ASSESSMENT OF ADVISORY COMMITTEES
April, 2016
539 - Department of Aging and Disability Services

To assist in the process required by Chapter 2110, Texas Government Code, state agencies should submit an assessment of advisory committees using the format provided. Please submit your assessment for each advisory committee under your agency's purview. Include responses for committees created through statute, administrative code or ad-hoc by your agency. Include responses for all committees, whether ongoing or inactive and regardless of whether you receive appropriations to support the committee. Committees already scheduled for abolishment within the 2016-17 biennium are omitted from the scope of this survey. When submitting information for multiple advisory committees, right-click the sheet "Cmte1", select Move or Copy, select Create a copy and move to end.

NOTE: Only the items in blue are required for inactive committees.

SECTION A: INFORMATION SUBMITTED THROUGH ADVISORY COMMITTEE SUPPORTING SCHEDULE IN LEGISLATIVE APPROPRIATIONS REQUEST

Committee Name:

Number of Members:

Committee Status (Ongoing or Inactive): Note: An Inactive committee is a committee that was created prior to the 2014-15 biennium but did not meet or supply advice to an agency during that time period.

Date Created: **Date to Be Abolished:**

Budget Strategy (Strategies) (e.g. 1-2-4): **Strategy Title (e.g. Occupational Licensing):**

Budget Strategy (Strategies): **Strategy Title:**

State / Federal Authority	Select Type	Identify Specific Citation
State Authority	Admin Code	Texas Government Code §531.012
State Authority		
State Authority		
Federal Authority	Public Law	US Department of HHS, under 42 USC §3012(b)(8) and (c)(1)
Federal Authority		
Federal Authority		

Advisory Committee Costs: This section includes reimbursements for committee member costs and costs attributable to agency staff support.

Committee Members' <u>Direct</u> Expenses		Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel		\$0	\$0	\$0
Personnel		\$0	\$0	\$0
Number of FTEs		0.0	0.0	0.0
Other Operating Costs		\$0	\$0	\$0
<i>Total, Committee Expenditures</i>		\$0	\$0	\$0

Committee Members' <u>Indirect</u> Expenses		Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel		\$0	\$0	\$0
Personnel		\$0	\$0	\$0
Number of FTEs		0.0	0.0	0.0
Other Operating Costs		\$0	\$0	\$0
<i>Total, Committee Expenditures</i>		\$0	\$0	\$0

Method of Financing

	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Method of Finance			
1 - General Revenue Fund	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
Expenses / MOFs Difference:	\$0	\$0	\$0
	0	0	0

Meetings Per Fiscal Year

Committee Description:

The ADRCAC assists the Texas Department of Aging and Disability Services, or HHSC (In this document, both agencies are referred to as HHSC) in developing and implementing an ADRC program in Texas, and advises HHSC on ADRC program and policy development, including designing and operating ADRCs, obtaining stakeholder input, and achieving the goals and vision of the ADRC program.

SECTION B: ADDITIONAL COMMITTEE INFORMATION

Committee Bylaws: Please provide a copy of the committee's current bylaws and most recent meeting minutes as part of your submission.

Since the committee was not fully established until 3/20/2016, it does not yet have bylaws or meeting minutes.

1. When and where does this committee typically meet and is there any requirement as to the frequency of committee meetings?

The committee meets quarterly, as required. It meets in Austin.

2. What kinds of deliverables or tangible output does the committee produce? If there are documents the committee is required to produce for your agency or the general public, please supply the most recent iterations of those.

Committee submits a written report of its activities to the commissioner or designee every odd numbered year.

3. What recommendations or advice has the committee most recently supplied to your agency? Of these, which were adopted by your agency and what was the rationale behind not adopting certain recommendations, if this occurred?

No recommendations have been supplied. The committee was not formally established until 3/20/2016.

4a. Does your agency believe that the actions and scope of committee work is consistent with their authority as defined in its enabling statute and relevant to the ongoing mission of your agency ?

Yes

4b. Is committee scope and work conducted redundant with other functions of other state agencies or advisory committees?

No

5a. Approximately how much staff time (in hours) was used to support the committee in fiscal year 2015?

N/A

5b. Please supply a general overview of the tasks entailed in agency staff assistance provided to the committee.

Create the agenda, take minutes, lead the meeting and assist with report development.

6. Have there been instances where the committee was unable to meet because a quorum was not present?

No

Please provide committee member attendance records for their last three meetings, if not already captured in meeting minutes. Since the committee was not fully established until 3/20/2016, it does not yet have bylaws or meeting minutes.

7a. What opportunities does the committee provide for public attendance, participation, and how is this information conveyed to the public (e.g. online calendar of events, notices posted in Texas Register, etc.)?

Meetings are open to the public and notices are posted on the ADRC and the DADS calendar of events webpages.

7b. Do members of the public attend at least 50 percent of all committee meetings?

Yes

7c. Are there instances where no members of the public attended meetings?

No

8. Please list any external stakeholders you recommend we contact regarding this committee.

None.

9a. In the opinion of your agency, has the committee met its mission and made substantive progress in its mission and goals?

Yes

9b. Please describe the rationale for this opinion.

The committee was not formally established until 3/20/2016. No formal goals existed prior to that date.

10. Given that state agencies are allowed the ability to create advisory committees at will, either on an ad-hoc basis or through amending agency rule in Texas Administrative Code:

10a. Is there any functional benefit for having this committee codified in statute?

Yes

10b. Does the scope and language found in statute for this committee prevent your agency from responding to evolving needs related to this policy area?

No

10c. If "Yes" for Question 10b, please describe the rationale for this opinion.

N/A

11a. Does your agency recommend this committee be retained, abolished or consolidated with another committee elsewhere (either at your agency or another in state government)?

Retain

11b. Please describe the rationale for this opinion.

Based on analysis recently conducted and recommendations approved by the HHSC Executive Commissioner on 10/31/15, this advisory committee should be retained.

12a. Were this committee abolished, would this impede your agency's ability to fulfill its mission?

Yes

12b. If "Yes" for Question 12a, please describe the rationale for this opinion.

The committee supports key tasks related to the mission of the agency. The tasks of the ADRCAC include:

- supporting HHSC to develop and implement the mission, vision and values statements to support the ADRC and the "no wrong door" system of access to long-term services and supports;
- assisting HHSC to identify ADRC target populations and establish meaningful goals and objectives for those populations;
- assisting HHSC to develop and implement a service delivery model supported by appropriate administrative and management information systems and information technology resources;
- assisting HHSC to position ADRCs to take advantage of current and future initiatives; and
- supporting the Texas health and human services system to use ADRCs as a point of access to long-term services and supports.

13. Please describe any other suggested modifications to the committee that would help the committee or agency better fulfill its mission.

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NOTE: Only the items in blue are required for inactive committees.

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Committee Name:

Number of Members:

Committee Status (Ongoing or Inactive): Note: An Inactive committee is a committee that was created prior to the 2014-15 biennium but did not meet or supply advice to an agency during that time period.

Date Created: **Date to Be Abolished:**

Budget Strategy (Strategies) (e.g. 1-2-4) **Strategy Title (e.g. Occupational Licensing)**

Budget Strategy (Strategies) **Strategy Title**

<u>State / Federal Authority</u>	<u>Select Type</u>	<u>Identify Specific Citation</u>
State Authority	Exec Order	RP42
State Authority	Admin Code	40 TAC §89.4
State Authority		
Federal Authority		
Federal Authority		
Federal Authority		

Advisory Committee Costs: This section includes reimbursements for committee member costs and costs attributable to agency staff support.

Committee Members' <u>Direct</u> Expenses	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
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	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Method of Finance			
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	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
Expenses / MOFs Difference:	\$0	\$0	\$0

Meetings Per Fiscal Year

	4	4	0
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Committee Description:

The purpose of the committee is to serve as an advisory committee to the Department of Aging and Disability Services or its successor (the department) and to make recommendations to the department and to other state leadership concerning the Aging Texas Well initiative. The committee shall advise the department on the evolution, improvements and dissemination of the Aging Texas Well Plans and on its review of associated state policy.

SECTION B: ADDITIONAL COMMITTEE INFORMATION

Committee Bylaws: Please provide a copy of the committee's current bylaws and most recent meeting minutes as part of your submission.

1. When and where does this committee typically meet and is there any requirement as to the frequency of committee meetings? By rule, the committee meets quarterly in Austin Texas. Members are allowed to call-in to the meeting.

2. What kinds of deliverables or tangible output does the committee produce? If there are documents the committee is required to produce for your agency or the general public, please supply the most recent iterations of those.

Biennial Aging Texas Well Plan: <http://www.dads.state.tx.us/volunteer/atw/docs/atwPlan2015-2016.pdf>

3. What recommendations or advice has the committee most recently supplied to your agency? Of these, which were adopted by your agency and what was the rationale behind not adopting certain recommendations, if this occurred?

The ATWAC does not provide formal recommendations but provided comment on both DADS Legislative Appropriations Request (FY 2016-17) and the HHSC Transformation. Feedback was provided to the Quality Monitoring Project on its "A Snapshot on Aging and Dementia" curriculum.

4a. Does your agency believe that the actions and scope of committee work is consistent with their authority as defined in its enabling statute and relevant to the ongoing mission of your agency ?

Yes

4b. Is committee scope and work conducted redundant with other functions of other state agencies or advisory committees?

5a. Approximately how much staff time (in hours) was used to support the committee in fiscal year 2015?

300.0

5b. Please supply a general overview of the tasks entailed in agency staff assistance provided to the committee.

Quarterly meeting arrangements including; booking the rooms, arranging AV/polycom needs, signage, development of the agenda, arranging guest presenters, taking/transcribing minutes. Development of the biennial plan and associated activities - research, collection of data, communications. Ongoing support for issue specific items such as; the revision of bylaws requires communication (email/conference calls), word processing, routing internally to identified parties; development of the ATWACs position on items (LAR, transformation, legislative positions) and communications; routing agency items to the ATWAC for their input/feedback; notification of changes.

6. Have there been instances where the committee was unable to meet because a quorum was not present?

No

Please provide committee member attendance records for their last three meetings, if not already captured in meeting minutes.

7a. What opportunities does the committee provide for public attendance, participation, and how is this information conveyed to the public (e.g. online calendar of events, notices posted in Texas Register, etc.)?

The public can attend meetings which are posted to the website: <http://www.dads.state.tx.us/volunteer/atw/>

7b. Do members of the public attend at least 50 percent of all committee meetings?

No

7c. Are there instances where no members of the public attended meetings?

8. Please list any external stakeholders you recommend we contact regarding this committee.

None.

9a. In the opinion of your agency, has the committee met its mission and made substantive progress in its mission and goals?

Yes

9b. Please describe the rationale for this opinion.

This committee provides the agency with a body of experts to review and comment on needs, trends and concerns older Texans and people with disabilities encounter and provides stakeholders with a source for representation of their issues/needs.

10. Given that state agencies are allowed the ability to create advisory committees at will, either on an ad-hoc basis or through amending agency rule in Texas Administrative Code:

10a. Is there any functional benefit for having this committee codified in statute?

No

10b. Does the scope and language found in statute for this committee prevent your agency from responding to evolving needs related to this policy area?

No

10c. If "Yes" for Question 10b, please describe the rationale for this opinion.

11a. Does your agency recommend this committee be retained, abolished or consolidated with another committee elsewhere (either at your agency or another in state government)?

Retain

11b. Please describe the rationale for this opinion.

Based on analysis recently conducted and recommendations approved by the HHSC Executive Commissioner on 10/31/15, this advisory committee should be retained.

12a. Were this committee abolished, would this impede your agency's ability to fulfill its mission?

No

12b. If "Yes" for Question 12a, please describe the rationale for this opinion.

13. Please describe any other suggested modifications to the committee that would help the committee or agency better fulfill its mission.

Aging Texas Well Advisory Committee Bylaws

- (a) **Name of the Committee.** The name of the committee is the Aging Texas Well Advisory Committee (committee).
- (b) **Applicable Law.** The committee was created by Executive Order RP 42 and is not subject to: Government Code, Chapter 551, concerning open meetings.
- (c) **Purpose.** The purpose of the committee is to serve as an advisory committee to the Department of Aging and Disability Services (the department) and to make recommendations to state leadership on implementation of the Aging Texas Well initiative. The committee shall advise the department on the creation and dissemination of the Aging Texas Well Plan and on the review of state policy.
- (d) **Composition and Appointment of Members.** The committee members are appointed by the department commissioner for two-year terms. Ex-officio members are designated by, and serve at the will of, the head of their respective state agency. The committee is composed of 13 appointed members and 7 ex-officio members as follows:
- (1) Two members who represent the academic community;
 - (2) Three members who represent advocates/consumers;
 - (3) Three members who represent faith-based or non-profit organizations;
 - (4) Two members who represent the aging service-delivery network;
 - (5) One member who represents providers from the residential setting;
 - (6) One member who represents providers from the community setting;
 - (7) One member who represents community supports; and
 - (8) Seven ex-officio members who represent key state agencies as follows:
 - (i) Texas Department of State Health Services;
 - (ii) Texas Department of Housing and Community Affairs;
 - (iii) Texas Department of Family and Protective Services;
 - (iv) Texas Workforce Commission;
 - (v) Texas Health and Human Services Commission;
 - (vi) Texas Department of Assistive and Rehabilitative Services; and
 - (vii) Texas Higher Education Coordinating Board.

- (e) **Resignations.** A member may resign from the committee by sending a written resignation letter by regular or electronic mail to the committee chair and department staff.

- (f) **Removal.** The department commissioner may remove a member from the committee if that member cannot discharge the member's duties for a substantial part of the term for which the member is appointed because of the following:
 - (1) Member becomes ill or disabled;
 - (2) Member is absent from more than half of the committee and subcommittee meetings during a calendar year;
 - (3) Member is absent without being excused from at least three consecutive committee meetings;
 - (4) Member no longer represents the applicable category that the member was originally appointed to represent; or
 - (5) Member violates a provision of these bylaws or commits another form of misconduct that impairs the member's effectiveness as a committee member.

To remove a member, the department commissioner or designee must send the member a letter by regular or electronic mail informing the member of the removal and the reasons for the removal. The removal is effective when the member receives the letter.

- (g) **Filling Vacancies on the Committee.** The department commissioner will fill vacancies on the committee caused by a resignation or removal using the following procedures:
 - (1) The committee will ask organizations in the category the committee member is representing to submit 1-3 nominees to be considered for appointment to this position.
 - (2) The committee chair and department staff will review the nominees and make a recommendation for appointment of a new committee member to the department commissioner.
 - (3) The department commissioner may either select or reject the nominee for the position. If the commissioner rejects the nominee, a new nominee must be submitted.

- (h) **Officers.** A member of the committee will be designated as the chair of the committee. The committee members will select the chair annually.
 - (1) The chair will preside at all committee meetings. If the chair will not be present at a meeting, the chair will appoint a temporary chair to carry out the duties of the chair.

- (2) The chair may serve as an ex-officio member of any subcommittee of the committee.

(i) Meetings. The committee will meet quarterly.

- (1) The department staff person designated by the commissioner and the chair of the committee will determine the time and place of meetings.
- (2) A quorum for purposes of convening a meeting and transacting business shall consist of five committee members.

(j) Attendance.

- (1) A member must notify the appropriate department staff if he or she is unable to attend a scheduled meeting.
- (2) The validity of an action of the committee is not affected by the fact that it is taken when a ground for removal of a member exists.
- (3) Department staff will maintain the attendance records of the members and must report to the commissioner any attendance violation by a member that would be cause for removal. The attendance report must include all committee and subcommittee appointments and attendance at all committee and subcommittee meetings.

(k) Procedures.

- (1) Robert's Rules of Order, Newly Revised, will be the basis of parliamentary decisions except where otherwise provided in these bylaws.
- (2) The committee will make decisions by consensus and not by majority vote.
 - (i) The chair will lead the discussion on issues, will formulate a decision proposal on the issue, and will make the call for consensus.
 - (ii) If consensus is not reached, each dissenter will present his/her concerns, another round of discussion will take place, a modified decision proposal will be formulated, and the cycle will be repeated until substantial consensus is established as determined by the chair.
- (3) A member may not authorize another individual to represent the member by proxy. A member may appoint an individual to attend as a representative, but the representative will not participate in the call for consensus.

- (4) The committee must make decisions in the discharge of its duties without discrimination based on any person's race, creed, gender, religion, national origin, age, physical condition, or economic status.
 - (5) The chair will ensure that notes of the meeting are taken.
 - (i) A copy of the notes will be provided to the committee members for review.
 - (ii) A record of consenting and dissenting opinions will be included in the meeting notes for major decision points.
 - (iii) The notes will be posted on the Aging Texas Well website.
- (l) **Subcommittees.** The chair, with approval by the department, may establish subcommittees as necessary to assist the committee in carrying out its duties.
- (1) The chair will appoint members of the committee to serve on subcommittees and to act as subcommittee chairs.
 - (2) Subcommittees will meet when called by the subcommittee chair or when directed by the committee chair.
 - (3) The subcommittees do not have to post meetings as required by the Open Meetings Act, Texas Government Code, Chapter 551.
 - (4) A subcommittee chair must make regular reports to the committee at each scheduled committee meeting or in interim written reports as needed. The reports must include a summary of each subcommittee meeting.
- (m) **Ad Hoc Task Forces.** The chair, with approval by the department, may appoint ad hoc task forces to perform such tasks of limited scope or duration as may be appropriate.
- (1) A task force will meet when called by the task force chair.
 - (2) A task force does not have to post meetings as required by the Open Meetings Act, Texas Government Code, Chapter 551.
 - (3) A task force chair must make regular reports to the committee at each scheduled committee meeting or in interim written reports as needed. The reports must include a summary of each task force meeting.
- (n) **Activities of Members.**
- (1) The committee is not bound by any statement or action on the part of any committee member except when a statement or action is authorized or approved by the committee.
 - (2) The committee and its members may not, in the name of the committee, influence or attempt to influence the passage or defeat of any legislative

measure or the outcome of any election. However, the committee and its members may inform and educate legislators and others about matters within the committee's jurisdiction. Furthermore, committee members are not prohibited from representing themselves in their personal capacity in the legislative process.

(3) A committee member cannot disclose confidential information acquired through his or her committee membership.

(4) A committee member who has a personal or private interest in a matter pending before the committee shall publicly disclose the fact in a committee meeting and may not vote or otherwise participate in the matter. The phrase "personal or private interest" means the committee member has a direct pecuniary interest in the matter but does not include the committee member's engagement in a profession, trade, or occupation when the member's interest is the same as all others similarly engaged in the profession, trade, or occupation.

- (o) **Adoption of Bylaws and Amendments to Bylaws.** These bylaws shall be adopted by a consensus of the members of the committee. These bylaws may be amended by a consensus of the members of the committee.

Bylaws Adopted by ATWAC on August 26, 2009.



Aging Texas Well Advisory Committee

August 05, 2015 Meeting Notes

Desired Meeting Outcomes: To update ATWAC members and to receive their advice on work related to their charge under Executive Order RP 42, 2005.

<p>ATWAC Members Present Dr. Michèle J. Saunders, Chair Bruce Bower Dr. Beverly Donoghue Lori Henry Carlos Higgins April Young Amanda Fredriksen Mindy Noble Ann Woods Michael Wilson Nancy Walker Yvette Lugo (via telephone) Cindy Adams (via telephone) Andy Crocker (via telephone) Lynda Taylor (via telephone) Carol Zernial (via telephone)</p> <p>ATWAC Members Absent Michael Dailey Sara Ramirez Le Riggs</p>	<p>Guests Mary Pat Smith (TSHL capital area) Paul Stemco (TSHL capital area)</p> <p>DADS Staff Joy Borjes Jessica Conway Joyce Pohlman Sue Fielder Holly Riley Susan Lish Claire Irwin Chelsea Couch</p>
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Welcome and Opening Remarks

- Dr. Michèle Saunders, DMD, MPH, Chair, welcomed Aging Texas Well Advisory Committee (ATWAC) members
- Carlos Higgins, member, shared a scam that targeted a senior. *“The nice man gave it to me for free.”* is the message to the senior. In reality, Medicare and private insurance were billed, leaving a balance for the senior to pay out of pocket.
Resources:
Texas Senior Medicare Patrol: <http://www.texassmp.org/about-texas-smp.html>
AARP Fraud Watch Network: <http://www.aarp.org/money/scams-fraud/fraud-watch-network/>

A. Administrative Update

The May 06, 2015 meeting notes were reviewed. The following corrections were recommended:

- Yvette Lugo was on the phone for the meeting.

Ann Woods motioned to accept the minutes with above corrections. Bruce Bower seconded.

Motion passed.

These will be posted on the Aging Texas Well website.

B. 84th Legislature Recap

Joy Borjes, Center for Consumer and External Affairs Government Relations Specialist, presented an overview of the 84th Legislative session of the bills that effect DADS and DADS programs.

HB 39:

- promoted limited guardianship and alternatives to guardianship to attempt to reduce the number of people who are becoming wards of others

Effective September 1, 2015

HB 3823:

- DADS, HHSC and Program for All-inclusive Care for the Elderly (PACE) providers will look at PACE and Star+Plus programs to: identify similar service populations, compare costs and review outcomes
- requires HHSC to look at the PACE reimbursement rates to ensure that, while neutral to Star+Plus, rates will sustain the PACE program moving forward.

The DADS and HHSC report is due December 2016

HB 2588:

- requires the HHSC Executive Commissioner to adopt a definition of an Alzheimer’s certified facility
- requires facilities with this certification to be very explicit in their marketing and include an statement that the facility has this certification

Effective immediately; however, the requirements for disclosure not until after January 1, 2016 because we have time to develop what the statement/requirement will look like.

SB 512:

- requires a standard, basic form for filing wills in Probate Court

Effective September 1, 2015

SB 1664:

- allows individuals to save money to pay for qualified disability expenses



-
- Texas Achieving a Better Life Experience (ABLE) funds will be administered by the pre-paid higher education board

Effective June 19, 2015

SB 304:

- requires DADS and HHSC to initiate license revocation of a facility with three violations at the immediate threat level (abuse, neglect or exploitation) in a two year period

Effective September 1, 2016

HB 1769:

- creates an expedited license process for assisted living facilities in “good standings” to begin operations
- with expedited licensure DADS would conduct only the life safety code inspection prior to facility opening

Effective September 1, 2015

SB 1881:

- pertaining to Supported Decision Making Agreement codified to be easier for individuals to access and file
- supporters are not allowed make decisions for an individual or access confidential information unless the individual specifically grants that access.

Effective June 19, 2015

SB 1882:

- establishes a bill of rights for people under guardianship
- this bill states that even if a person has a guardian, certain rights remain unless the guardianship order explicitly removes them

Effective June 19, 2015

SB 1999:

- changed the name of Adult Daycare to Day Activity and Health Services

Effective immediately

Sunset SB204

- DADS Sunset bill – did not pass.

Effective immediately.

Sunset SB200:

- HHSC consolidation bill – passed
- DADS functions and programs will transfer to HHSC in two stages.
 1. client services will consolidate by September 1, 2016
 2. regulatory and state supported living centers consolidate by September 1, 2017.
- Chris Adams, HHSC Deputy Executive Commissioner of Transformation Policy and Performance, will oversee consolidation.

Effective immediately

Budget

- Interest list has been significantly reduced. Attempts are being made to locate those still on the list, but some are proving difficult to locate. Additional ways are being investigated.

Tracking

- Q: How does DADS track bills and how do you find out and get included on the list?
- A: Joy provided a handout (See Attachment #1) and the link to the summary page:
http://www.dads.state.tx.us/news_info/publications/legislative/84thlegislativesummary.pdf



C. State Long-Term Care Ombudsman Division Update

Jessica Conway, Ombudsman Policy Liaison, provided the following updates:

- February 2015 the Ombudsman federal rule was issued. As agencies consolidate, Ombudsman will be mindful of any new conflicts of interest - federal rule requires the identification conflicts and the development of a remedy plan. Ombudsman must be clearly identified as separate and independent to the agency. The federal rule also includes provisions for interference. The federal rules are extensive and will require significant changes to the Ombudsman statute, rules and trainings.

D. Community Access and Grants Unit Division Update

Joyce Pohlman, Grants Coordinator, provided the following updates:

- Aging and Disability Resource Centers (ADRCs) contracts: 14 to be re-procured by the end of the fiscal year, currently moving rapidly through re-procuring and evaluating.
- Public meetings: have been held for input on the ADRC strategic plan.
- Caregiver video: Unable to share today due to technical difficulties but will share the link with Holly to send out.
- Take Time Texas website: receiving a makeover.
- Texas Respite Coalition strategic plan: in development and will provide direction on improvements to the availability and coordination of respite, and ways to make it more affordable.
- Long Term Service and Supports Screen (LTSS Screen): The Balancing Incentive Program (BIP) requires a Level 1 Screen to easily and effectively get people information about their options and access (DADS already has a Level 1 Screen so ours is named the LTSS Screen). The LTSS Screen is used at the major entry points to the long-term care system to help people identify where they might go for assistance. DADS has made the screen into a software program that can be accessed through a self-service portal or by contacting the ADRC, AAA, or DADS regional offices. The screening will be used for anyone who contacts DADS needing long-term service or support. It is scheduled to launch in September.

E. Area Agencies on Aging Division Update

Sue Fielder, Director, provided the following updates:

- Contract addendum: DADS, Area Agencies on Aging (AAA) and HHSC Managed Care Organizations (MCO) have negotiated an addendum to the contract for AAAs that chooses to enter into an agreement with MCOs to provide certain services. Funds would be already included under the leeway paid to the MCO for each individual if they want to offer that service.
- Older Americans Act (OAA): On July 16, the U.S. Senate unanimously passed the OAA, but the act still needs to pass in the House. Funding and appropriations still remain a challenge and aging is still seen through the lens of Medicare and Medicaid.

F. Review of Bylaws and goals

Dr. Michèle J. Saunders, Chair

- Members were asked to review the ATWAC bylaws (with consideration to the ATWACs purpose and charges that have been carried out) prior to the November 4 meeting. Members were reminded of the two main activities the ATWAC comments/works on annually:
 1. making legislative recommendations to DADS



2. the biennial plan

As well as the strategic plan sub-committee that works both issues, making recommendations back to the larger ATWAC membership.

G. Program Initiatives

Holly Riley, Manager, Volunteer and Community Engagement, provided the following updates:

- Aging Texas Well Plan: VCE reviewing the plan will let the ATWAC know if there are any major modifications.
- Executive Order RP42: VCE made a request to update statistics used in RP42.
- Behavioral Health and Aging Workgroup: VCE is a member of this work group as well as representatives from health professionals, doctors, academic and state employees. There is a larger behavioral health workgroup at HHSC and this one focuses on the aging population.
- Vision Awards ceremony: DADS annual recognition ceremony for volunteers will be September 17 at 2pm.. This year a volunteer is being recognized for 50 years of service.
- Art Exhibit: Starting September 10, DADS hosts an art exhibit in the lobby of the Winter’s building featuring works of art by the people DADS serves. The exhibit opening reception is September 11 from 4-6pm.

H. ATWAC Member Updates

Lori Henry – DFPS

- The Adult Protective Services Conference will be held in November, 2015 at South Padre Island. http://www.dfps.state.tx.us/Adult_Protection/Adult_Protective_Services_Conference/default.asp

Michael Wilson – Meals on Wheels and More:

- No updates.

April Young (for Nancy Walker) – HHSC:

- As of June 1 there were 47,508 in nursing facilities enrolled in a Star+Plus Managed Care Organization (MCO.) All five Star+Plus MCO are processing claims and HHSC continues to monitor the transition closely and address items as needed.
- HB 1 rider 89 directed HHSC to develop its recruitment and retention strategy for community attendants. HHSC will work with DADS going forward to identify strategies.
- Community First Choice implemented June 1. HHSC is working on a Person Center Planning training, how to implement that and operationalize that for providers.

Ann Woods – DARS:

- Our Commissioner is working with HHSC and others on the consolidation of DARS with HHSC and Texas Workforce Commission which is supposed to be complete by September 1, 2016.

Carlos Higgins – TSHL:

- Encouraged ATWAC members to utilize the TSHL for addressing issues affecting older Texans legislatively.

Amanda – AARP:

- New caregiving study - “Valuing the Invaluable” with state statistics. <http://www.aarp.org/ppi/info-2015/valuing-the-invaluable-2015-update.html>

Mindy Noble – Higher Education Board:

- Brand new to this committee and listening today.

Bruce Bower – Texas Senior Advocacy Coalition:



- Reviewing and monitoring the legislation that was passed and determining where there are priorities for next session.

Andy Crocker – Texas AgriLIFE Extension Services:

- Counties are developing their 2016 area work plans.
- The Extension Services, in partnership with the Texas A&M Health Science Center, received exceptional items funding and will implement a big health and wellness push in south Texas.

Cindy Adams – Star+Plus MCOs:

- Star+Plus MCOs are working with AAAs and ADRCs to develop partnerships, establish contracts, and learn each other's processes.
- Local Authorities are assessing Community First Choice. Star+Plus is also assessing waiver members to see if they may qualify for habilitation services in addition to the current waiver services they are receiving.
- Star+Plus MCOs and the Texas Association of Health Plans are reviewing the CMS Medicaid Mega-Reg for comment.

Yvette Lugo – T4A:

- T4A hosted the very successful Aging in Texas Conference in Austin with more than 300 registrants. Starting to plan for next year.

Lynda Taylor– DSHS Alzheimer's Disease Program:

- Texas Council on Alzheimer's Disease and Related Disorders met August 25, 2015.
- Lynda is making recommendations regarding the definition of Alzheimer's disease to a DADS policy specialist for HB2588.

I. Wrap up and Action Items

- Dr. Saunders reminded those attending the meeting via the phone to send address, email, and phone number changes to Holly Riley.
- Agenda items for next meeting:
 - A briefing on the strategic plan for the Texas Respite Coalition
 - A showing of the LTSS screen
- Next Advisory Committee meeting is November 4, 2015.



Aging Texas Well Advisory Committee

November 4, 2015 Meeting Notes

Desired Meeting Outcomes: To update ATWAC members and to receive their advice on work related to their charge under Executive Order RP 42, 2005.

<p>ATWAC Members Present Dr. Michèle J. Saunders, Chair Bruce Bower Lori Henry Carlos Higgins Amanda Fredriksen Mindy Noble Ann Woods Nancy Walker April Young Yvette Lugo (via telephone) Andy Crocker (via telephone) Pearl Merrit (via telephone) Lynda Taylor (via telephone)</p> <p>ATWAC Members Absent Michael Dailey Michael Wilson Cindy Adams Carol Zernial Sara Ramirez Lee Riggs</p>	<p>DADS Staff Michelle Dionne-Vahalik Molly Lester Pat Borgfeldt Sue Fielder Corliss Powell Flora Fearon Holly Riley Ken Bomar Susan Lish Claire Irwin Chelsea Couch Jacqueline Parker-Boyd</p>
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- **Welcome and Opening Remarks**
 - Dr. Michèle Saunders, DMD, MPH, Chair, welcomed Aging Texas Well Advisory Committee (ATWAC) members
- **Special Topics**
 - I. **DADS Quality Monitoring Program (QMP):** Michelle Dionne-Vahalik, QMP Director, presented on QMP initiatives.
 - i. Dementia Training in nursing facilities/large forums:
 1. The National Council of Certified Dementia Practitioners (NCCPD) offers trained participants certification as a dementia care practitioner. Training focuses on communication, hands-on skill, and raising awareness and understanding.
 - ii. TRAIN (the reduction of antipsychotics):
 1. Through TRAIN, Texas is making a lot of progress improving care and reducing the use of antipsychotics.
 - iii. Music in Memory:



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1. Personalized music therapy, offers individualized playlists for participants. Playlists are developed with the support of families, staff, friends and volunteers. This personalized playlist includes songs that could trigger memories.
 2. Program is currently being implemented in 32 Texas facilities. Reports have been very positive.
 3. Received a larger grant for 400 facilities to enter into the program (a third of Texas' long-term care community) that will roll out in January 2016.
 4. Funded by Civil Money Penalties (CMP).
 5. Reached out to HOSA to include volunteer high school students in the program.
 - iv. High School Dementia Curriculum:
 1. Three hour curriculum that will focus on educating students on the value of older adults, dementia and what that looks like, and the need for a skilled workforce.
 - v. Reminiscence Therapy:
 1. Utilizes personalized objects (pictures, songs, tactile objects) to help bring back memories and help them reminisce.
 2. Funded by CMP, part of TRAIN to reduce antipsychotics in 100 nursing homes.
 - vi. Dementia Academy:
 1. Consulting with psychiatrist Dr. Susan Wehry who wrote the OASIS curriculum. OASIS is a hands-on curriculum and will roll out to all long-term care at end of 2016.
 2. Will be altering the curriculum some to meet the unique needs of Texas.
 3. Funded by CMP.
 - vii. Director of Nurses Academy:
 1. A three-day academy to address turn-over rates. The academy will bring director of nurses, assistant director of nurses, and administrators to teach them about long-term care.
 2. Academy will address resources, regulation compliance, Music and Memory, reminiscence therapy, their role in creating the environment, and other relevant information.
 3. Roll out in April and May 2016.
 - viii. Licensed Vocational Nurses (LVN) Steering Committee:
 1. To address the turn-over rate of nursing staff. Most go into long-term care after graduating.
 2. Steering committee consists of DADS, Texas Board of Nursing, LVN Educators, and a LVN. Together they built a framework of where they thought curriculum could be enriched, challenge areas when it came to care, and what would be helpful for nurse transitioning into long-term care. Eleven topic areas came about and modules being developed.
- II. **DADS Partnership Outreach and Development Projects:** Ken Bomar, Marketing Director presented on DADS partnership outreach and development.
- i. Role is to develop mutually beneficial partnerships with the corporate sector, faith-based, aging network, communities, media and other partners to expand and enhance DADS resources and programs as well as raise awareness of the challenges of aging and how they can be part of the solution.
 - ii. Age Well Live Well is DADS campaign that encourages individuals and communities to engage in healthy aging. The campaign focuses on health and wellness, volunteer and



community engagement, and resource awareness. Communities are challenged to create collaboratives to address the three focus areas of the campaign. There are currently 10 collaboratives across.

- iii. Our philosophy is to make it a mutually beneficial and complementary partnerships. That all our partner's get a value out of our partnerships.
- **Department of Aging and Disability Services Reports**
 - I. State LTC Ombudsman Unit: Pat Borgfeldt, Ombudsman Developer
 - i. State Ombudsman advocates for residents and represents their interest in relation to health, safety, welfare, rights in systems advocacy.
 - ii. Patty Ducayet, State Long-term Care Ombudsman Manager, participated in some system advocacy.
 - iii. Summer 2015, the Centers for Medicare and Medicaid Services proposed a reform in nursing home requirements and opened it up for comments.
 1. Patty provided comment on nursing home discharge provisions including a proposed requirement to justify the reasons for discharge in the facilities attempts to meet residents needs, as well as notifying the Ombudsman of each discharge. This fits with the recommendation that Patty designated at the statelevel to reduce unnecessary discharges and for the state to impose higher penalties to enforce that act.
 2. Patty also commented for a change of language from "admission and transfer rights" to "transition of care". Our department felt that losing the word "rights" implies that this is not their home. Many times state laws support the resident rights and if that aspect leaves the language we are worried those won't be represented in state laws in the future.
 - iv. Opportunity to make comments on the Centers for Medicare and Medicaid Services Improving Medicare Post-Acute Care Transformation (IMPACT) Act of 2014 proposed revision discharge plan requirement that hospitals including long-term care hospitals, in-patient rehabilitation facilities and home health agencies must meet to participate in Medicare and Medicaid. It is trying to modernize some of the discharge procedures.
 - II. Access and Intake Division:
 - i. Community Access and Grants Unit: Janene Roch, Grants Coordinator
 1. Our philosophy is to make it a mutually beneficial and complementary partnerships.
 - ii. Area Agencies on Aging: Sue Fielder, Director
 1. Contract with Texas A&M University to study Texercise Select to have it meet the new evidence-based criteria taking effect October 2016 is moving forward.
 2. Centers for Medicare and Medicaid Services opening Improving Medicare Post-Acute Care Transformation (IMPACT) Act of 2014 for comments. Advises when planning transitions providers consult with Aging and Disability Resource Centers, Area Agencies on Aging, Centers for Independent Living, or SAMSHA Treatment Locator.
 3. Area agencies on aging can now enter into contracts with Managed Care Organizations
 - **Program Initiatives**
 - I. Volunteer and Community Engagement: Holly Riley, Manager
 - i. Senate Interim Charge on Heathy Aging: Molly Lester, DADS Government Relations,
 1. October 2015, Lieutenant Governor Patrick released the interim charges for senate



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- committees. Senate Health and Human Services Committee issued 9 charges to consider through the interim leading up to the 85th session. One is the Healthy Aging charge which has two parts.
- a. First part, which is the wording DADS submitted, is to study and make recommendations on innovative methods and best practices.
 - b. Second part, examine and recommend ways to improve quality oversight in long-term care facilities.
2. The committee will have to decide how to take up each of these charges. They spend some time studying these healthy aging ideas. Quite often they will hold a hearing and we may be asked to present as well as other stakeholders. Then they will incorporate any recommendations into their report to Lieutenant Governor Patrick most likely next fall.
 3. In response to Bruce Bower's question about the House of Representatives interim charges, Molly informed that they were just released and read an interim charge for the House Committee of Human Services that states, "*Study the ten year anticipated growth, the geographic distribution, and the projected economic impact of aging Texans. Review state services and programs available to seniors, including independent living services, and determine the capacity and effectiveness of the programs. Determine if Texas is prepared for the increased demands of aging Texans.*"
- ii. ATWAC Rule: Corky Powell, Center for Policy and Innovation and Flora Fearon, DADS legal
1. Discussed the revision to the rules for the five remaining committees with HHSC after the legislative session.
 2. The rule is required under state law. Senate Bill 200 was passed which required Executive Commissioner to establish and retain advisory committees and to set in rules specific items such as: list of tasks, leadership composition, reporting requirements, and abolishment date.
 3. Item D says a quarterly report is provided. The extended minute notes that ATWAC has for each meeting can be provided as the quarterly report to satisfy that requirement.
 4. Dr. Saunders: Is this rule is temporary until such time that consolidation occurs? Flora: it is permanent until such time these rules are required to be changed.
 5. Corky: HHSC transformation office published a complete list of all the committees (including the ones that will go away, be absorbed into an existing committee, etc.) The five committees that are staying are included in this rule to create consistent wording across the board. This rule also allows for unique language for committees where applicable.
 6. Molly: The Legislature abolished several committees that were under statute and law but allowed the executive commissioner the ability to recreate them in rule. Because ATWAC was created by executive order it was not abolished because executive orders remain in place unless another governor amends or repeals it.
 7. Carlos: It's important to say even though ATWAC isn't subject to the Open Meetings Act people can still attend the meetings.
 8. April: What do you see moving forward in regards to the recommendations put forth by this group? Right now the strategic plan is the current process for recommendations. Corky: Suggest that the recommendations word as "committee will



make periodic recommendations” in the rule. Flora: The rule is to capture the spirit of the committee.

9. 89.4 A – Committee adopts by reference Executive Order RP42 (2005) created the Aging Texas Well Advisory Committee (ATWAC) and established its purposes and responsibilities. ATWAC advises and makes recommendations to DADS on the implementation of the Aging Texas Well initiative. The committee adopts by reference Executive Order RP42 (2005) to be implemented in accordance with committee by-laws.
 10. The mechanism for sending reports has not been set-up. Does not have to be the meeting minutes.
 11. 89.4 D – Submits periodic reports to the Commissioner or designee.
- iii. ATWAC By-Laws:
 1. Dr. Saunders asks Bruce, Carlos and Amanda to serve on the By-Laws sub-committee and send recommendations for the ATWAC Rule. Others are invited to participate. Bruce: agreed to chair the sub-committee.
 - iv. Strategic Planning Subcommittee:
 1. Dr. Saunders asked committee members to start thinking about who they would like to chair the Strategic Planning Subcommittee while reviewing the by-laws.

▪ **Roundtable:** ATWAC Member Updates

▪ **Wrap-up and Next Steps:**

- I. Dr. Saunders put forth the motion to approve meeting notes from August 5.

2016 ATWAC Meeting Dates: February 3, 2016, May 4, 2016, August 3, 2016 & November 2, 2016



Aging Texas Well Advisory Committee

February 3, 2016 Meeting Notes

Desired Meeting Outcomes: To update ATWAC members and to receive their advice on work related to their charge under Executive Order RP 42, 2005.

<p>ATWAC Members Present Dr. Michèle J. Saunders, Chair Cindy Adams (via telephone) Bruce Bower Andy Crocker Amanda Fredriksen Lori Henry Pearl Merrit (via telephone) Le Riggs (via telephone) Lynda Taylor (via telephone) Michael Wilson (via telephone) Ann Woods (via telephone) April Young Carol Zernial</p> <p>ATWAC Members Absent Michael Dailey Carlos Higgins Yvette Lugo Mindy Noble Sara Ramirez Nancy Walker</p>	<p>DADS Staff Chelsea Couch Wendy Francik Susan Lish Toni Packard Jacqueline Parker-Boyd Holly Riley</p> <p>Guest Debbie Billa Vickie Orcutt Christian Wells</p>
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- **Welcome and Opening Remarks:** Dr. Michèle Saunders, Committee Chair
 - I. HHSC rule pertaining to advisory committees is awaiting adoption
 - II. 11.04.2015 minutes reviewed
 - i. Edits identified
 - ii. Minutes approved by member consensus – 7.25

- **Special Guest Presentations**
 - I. Vickie Orcutt, Executive Director of Faith in Action Georgetown – 7.50
 - i. Overview of Faith in Action national network: interfaith caregiving model, initial seed money from RWJ Foundation funded 25 pilot communities; uses network of diverse faith organizations to provide caregiver services (services include; transportation, shopping, minor home repairs, friendly visitors, respite care.)
 - 1. National Volunteer Caregiving Network
[https://www.caregiver.org/national-volunteer-caregiving-network-faith-action.](https://www.caregiver.org/national-volunteer-caregiving-network-faith-action)



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2. Faith in Action Georgetown: utilizes trained volunteers to provide transportation and handyman services, grocery shopping, prescriptions filled, care calling/friendly visits, info and referral and durable medical equipment to senior adults living in their own homes. 2016 numbers - 442 clients, 6,000+ rides, 149 volunteers. The interfaith coalition supporting Faith in Action Georgetown consists of 13 sponsoring churches that provide financial support (membership and fundraising) and serve on the board.
- II. Christian Wells, President of Alzheimer's Texas – 30.26
 - i. Overview of Alzheimer's Texas caregiver support program: provided through local churches; easy and cost effective to implement; purely volunteer model; 16 sites offer four hours of respite weekly; most programs are in the morning Tue-Thur; lunch and activities are offered (activities include service animals, art, exercise, music); program tools and support are provided to sites; planning takes 6-8 months; program is modifiable for different sites.
- **Department of Aging and Disability Services Reports**
 - I. Access and Intake Division:
 - i. Community Access and Grants Unit: Wendy Francik, Grants Coordinator – 55.15
 1. ADRC: finalizing strategic plan and developing committee bylaws
 2. Respite: four respite care providers awarded (Corpus, Tyler, Belton and Houston), applied for ACL funds to use for sustainability and emergency care
 - ii. Area Agencies on Aging: Toni Packard, State Unit on Aging Coordinator – 58.40
 1. Medicare Improvements for Patients & Providers Act (MIPPA): Using SHIP Priority 1 grant to fund two outreach positions, Texas State University undertook research project that is being reviewed by AAA unit, planning benefits counseling training for the end of summer
 2. Contract Accountability Oversight unit: filling fiscal and financial analysts positions, beginning the 2016 monitoring cycle, 2015 AAA close-outs and 2016 budgets underway
 3. Caregiver assessment report: due end of the FY, assuring data for survey is correct, Clearwater will be performing the survey over the summer
 4. Behavioral Health and Aging (BHA) workgroup is developing a fall forum
 5. Evidence based programs offered through AAAs are being reviewed and approved
 6. 13 AAA area plan progress reports are being reviewed
 7. National Aging Program Information System report submitted Jan 29
- Amanda Fredricksen asked who is handling the benefits counselor trainings since Norma Almanza retired from TDI? DADS SHIP director (Patsy Fernandez) will be connected to Amanda for follow-up. Texas Legal Hotline was also provided as a resource.*
- **Program Initiatives**
 - I. Volunteer and Community Engagement (VCE): Holly Riley, Manager – 1.17.30
 - i. DADS will be providing testimony at the Senate Health and Human Services Committee on the healthy aging interim charge
 - ii. *Volunteer you'll be Amazed* recruiting campaign materials were shared



- iii. Hiring two positions in the VCE unit
- iv. Texercise Select: Chelsea Couch, Texercise Program Coordinator - 1.20.36
 - 1. Background on EBP research, currently meets ACL intermediate EBP level, new round of research is showing good results, online training for facilitators is in development
- II. ATWAC By-Laws: Dr. Saunders, Committee Chair – 1.24.40
 - i. Susan Lish offered her assistance to support the bylaws committee, would like to have something drafted for the May meeting
- III. Strategic Planning Subcommittee: Dr. Saunders, Committee Chair – 1.26.30
 - i. Members were asked to start thinking about volunteering for the subcommittee for the variety of items that pop up (strategic plan development, responding to questions)
 - 1. Asked Holly to remind members in March about the HHSC Transition Legislative Oversight Committee public hearing/testimony
- **Roundtable:** ATWAC Member Updates – 1.29.55
 - I. April: HHSC is developing the transition plan; holding weekly and monthly meetings with MCOs, NF providers and stakeholders; dual demonstration project fully implemented (total program enrollment estimated to be 54,000); following Senate Bill 304 (known as three strikes) and the negotiated rule making committee; collecting provider attendance data for Rider 89; monitoring Community First Choice to clear up confusion and provide more info to front line staff.
 - II. Andy: Healthy South Texas initiative will be held in 26 valley counties to promote physical and environmental health; Carol Rice Ph. D. retired in December; Andy inherited the Friend-to-Friend project which connects women who have had breast cancer.
 - III. Amanda: Will be hosting caregiver and fraud/financial security events throughout the year
 - IV. Bruce: Texas Senior Advocacy Coalition (TSAC) collecting issues to promote – share with him your organizations needs to communicate to TSAC.
 - V. Carol: Caregiver Teleconnection was featured in the Winter Generations edition, Stress Busting holding first training in Spanish; Stress Busting expanding to New Jersey and South Dakota this year; partnering with the City of Corpus Christi to open a senior center that has intergenerational programming. Update on their AoA/APS grant (1 of only 5): is in year three during which time they have screened 8,800 patients with 1,000 identified as potentials and 500 referred to APS.
 - VI. Lori: DFPS developing LAR items; several staff on HHSC transformation workgroups; May is their annual public awareness campaign; Community Initiatives Specialist position open; community satisfaction report will be distributed soon.
 - VII. Lynda: Texas Council on Alzheimer’s disease and Related Disorders and the statewide partnership will be meeting March 3 to gather input for the state plan.
 - VIII. Cindy: In Dallas the behavioral health services have been carved out to North Star, they are working to carve back in the MCOs to have fully integrated physical and behavioral health product; Quality Improvement Payment Program (QIPP) applications due at the end of the week - QIPP offers incentive payment to NF to improve quality care and life for residents, provide staffing enhancements, create small house model and implement culture change.
 - IX. Ann: Staff working on transition workgroups to transfer DARS to HHSC and TWC by 9.1.16
 - X. Yvonne (*via Holly*): Deborah Moore with Harris AAA will be the new Texas Association of



Area Agencies on Aging president, Aging in Texas Conference July 12-15 in San Antonio.

XI. Dr. Saunders: San Antonio Health Science Center Nursing School Aging Conference coming up in April/May, Dr. Saunders selected by GSA to serve on Immunizations Champions and Medical Multi-Health Professionals (ICaMMP) and will be attending training in Los Angeles; will be editing October Generations issue that will focus on oral health; will be approaching physicians' offices to integrate exercise and nutrition for diabetes.

▪ **Wrap-up and Next Steps:** Dr. Saunders, Committee Chair – 1.52.49

- I. Next meeting May 4th, keep an eye out for emails regarding the HHSC Transition Legislative Oversight Committee and bylaws.



Aging Texas Well Plan 2016-17

As Required by
Executive Order RP 42

Texas Department of Aging and Disability Services

September 2015

Aging Texas Well Plan 2016-17: Mandates and Planned Actions

The mandates within Executive Order RP 42 form the core elements of all Aging Texas Well (ATW) plans. In the ATW plan for 2016-17 below, the mandates are highlighted in bold, and the activities to carry them out are listed beneath each mandate. Department of Aging and Disability Services (DADS) staff developed these activities with input from the Aging Texas Well Advisory Committee (ATWAC). DADS staff in several divisions will carry out the objectives with assistance from ATW partners, including the ATWAC, other state agencies, educational institutions, non-governmental organizations, and private organizations.

Mandate 1: Advisory Committee

ATWAC will advise DADS and make recommendations to state leadership on the implementation of the ATW initiative.

Key ATWAC actions during the 2016-17 biennium will include:

- Help develop the ATW 2016-17 plan.
- Annual review of ATW plan implementation.
- Participate in quarterly meetings where members will:
 - Identify and discuss aging policy issues, review and provide guidance for state government readiness to address issues facing older Texans, and promote increased local community preparedness for aging Texans;
 - Present on topics affecting the older adult population in Texas; and
 - Provide updates on their organizations' and agencies' activities related to the older adult population in Texas.
- Review, discuss and provide recommendations to DADS and state leadership on policy issues and priorities, community preparedness, and state agency readiness by sharing insights gained in the field, preparing white papers, and giving presentations as requested.
- Ensure a qualified and active ATWAC by:
 - Nominating knowledgeable candidates to the committee as vacancies occur and ensuring they have expertise in providing services to informal caregivers, geriatric healthcare, aging and individuals with intellectual and developmental disabilities (IDD), transportation services, behavioral health, and federal healthcare policy;
 - Encouraging member engagement and development through increased responsibilities, such as drafting white papers with policy recommendations, submitting recommendations for the DADS legislative appropriation requests, and reviewing and providing input to the ATW plan; and
 - Amending ATWAC bylaws as needed.

Mandate 2: Aging Texas Well Plan

With the advice of the ATWAC, DADS shall create and disseminate a comprehensive and effective working plan to identify and discuss aging policy issues, guide state government readiness, and promote increased community preparedness for an aging Texas. DADS will biennially update the plan and evaluate and report on its implementation.

Key actions for DADS staff include:

- Gather input from DADS program areas and ATWAC members to develop the ATW plan; and
- Assess the progress of the ATW plan and prepare an annual review to be submitted the ATWAC in February 2016.

Mandate 3: Review of State Policy

With the advice of the ATWAC, DADS shall review and/or comment on state policies, concentrating on current critical trends, including but not limited to: improving services for informal caregivers; promoting evidence-based disability and disease prevention activities; increasing the recruitment and retention of health care providers trained in geriatrics; improving the provision of services and supports to individuals with IDD who are aging; reviewing options to expand the mobility of older adults through affordable, accessible and integrated transportation services; improving the provision of behavioral health services and supports to older persons; and reviewing federal changes in health care policy.

Key actions for DADS staff include:

- Gather and analyze data to better understand the conditions and needs of older Texans, share reports and presentations to encourage a broader understanding of issues, and inform policy as needed to better serve aging Texans in the following areas:
 - Informal caregivers and existing caregiver support programs, including evidence-based programs, respite care, education, and decision-support services;
 - Older adult physical and behavioral health issues and available evidence-based physical and behavioral health promotion programs;
 - Services and supports available to older Texans with developmental and intellectual disabilities and providing recommendations for improvement of services and supports;
 - Transportation needs, trends in delivering transportation, and innovations in transportation systems and services;
 - End of life issues;
 - Services and supports available to assist aging Texans with access to needed medications; and
 - The need to increase the recruitment and retention of health care providers trained to work with individuals over the age 60.

- Facilitate ATWAC's review and/or comment on state policies by collecting and providing information as requested.
- Expand the availability of evidence-based programs in health promotion, disease prevention, and caregiving by:
 - Building alliances with various grant funders and evidence-based license holders to expand the availability of evidence-based program workshops and training opportunities for participants and volunteers;
 - Working with the Area Agencies on Aging (AAAs) and Aging and Disability Resource Centers (ADRCs) to increase their knowledge about, funding for, and ability to offer evidence-based programs; and
 - Expanding the ATW evidence-based clearinghouse for health promotion by adding information about emerging evidence-based practices, new research, and evidence-based workshop locations in Texas.
- Follow the efforts of the Texas Higher Education Coordinating Board to track the number of medical residencies that are specific to the older adult population offered in the state and the number of both filled and open residency positions.
- Implement an initiative to measure and meet the needs of a stable and adequate direct support workforce. Efforts will include:
 - Results of a state-wide survey of direct support workers to inform and guide policymakers and serve as a baseline for assessing the progress of workforce interventions.
- Support the Texas Lifespan Respite Care Program efforts to expand information and services to informal caregivers throughout the state. Actions will include:
 - Continued collaboration with the Texas Respite Coalition;
 - Enhancement of the Take Time Texas website, including expansion of the Texas Inventory of Respite Providers database; and
 - Increased outreach to the public about the Take Time Texas website and the Texas Inventory of Respite Providers database.
- Continue to collaborate with DSHS and other partners on the Behavioral Health and Aging Workgroup on educational materials and events (such as issue briefs and conference presentations), offer evidence-based behavioral health training to AAA and ADRC staff throughout the state, and related activities to address the behavioral health needs of older Texans. DADS may participate in:
 - Developing a curriculum around older adult behavioral health issues for physicians;
 - Expanding the scope of the Behavioral Health and Aging Workgroup by developing a strategic five-year plan; and
 - Seeking grant opportunities to implement additional evidenced-based practice pilot programs.

Mandate 4: State Agency Readiness

DADS shall lead a planning effort to ensure the readiness of all Texas state agencies to serve an aging population by identifying issues and current initiatives, future needs, action steps, and methods of performance evaluation. The effort shall advance an intergenerational approach to policies, programs, and services to address the needs of Texans across the lifespan.

- ATWAC members who represent state agencies will provide updates on their agencies' services, issues, current initiatives, future needs, and methods of performance evaluation for the older adult population at ATWAC meetings and to DADS staff as requested for inclusion in the biennial ATW plan;
- DADS will support state agency preparedness for the expanding older adult population by developing and sharing resources, including web-based information briefs. DADS will continue to provide expertise and technical assistance to other agencies upon request and will:
 - Revise ATW website to enhance consumer and clearinghouse information;
 - Provide regular updates on the ATW website;
 - Provide information and presentations to the Texas Joint Legislative Committee on Aging as requested;
 - Participate in collaborative workgroups;
 - Develop a curriculum around older adult life issues for physicians;
 - Assess Texas' readiness to handle older adult life issues within the workforce;
 - Educate and address the older adult life issues in the event of a disaster; and
 - Make presentations with and to other agency staff as appropriate.

Mandate 5: Texercise

DADS, the Department of State Health Services, Governor's Advisory Council on Physical Fitness, and other appropriate state and community organizations shall continue to promote and expand the internationally-recognized Texercise program as a means to ensure healthy lifestyles in older Texans.

- Texercise is a statewide health promotion initiative developed by DADS to educate older Texans about nutrition and involve them in physical activity. During 2016-17, DADS will:
 - Continue to work with state and local organizations to promote and expand the Texercise program;
 - Evaluate the effectiveness of the Texercise program; and
 - Continue to implement and expand GetFitTexas, an online physical activity tracking database.

Mandate 6: Local Community Preparedness

DADS shall work with public and private community partners, including state and local governments, to build capacity to serve a growing aging population through partnership development and planning using formal community assessment processes.

- DADS, in collaboration with the AAAs, ADRCs, and other public, private, and state agency partners, will:
 - Support the AAA role as a change agent to complete the pilot phase of the ATW Community Assessment Toolkit (CAT) currently in process in three communities (existing ATW CAT implementation grants have been made to the North Central, Tarrant County, and South East AAAs);
 - Develop partnerships with public and private organizations to build community capacity to serve older Texans;
 - Provide technical assistance as appropriate and as requested to any community engaged in age-friendly community assessment processes;
 - Update and disseminate public awareness materials to support ATW initiatives throughout the state;
 - Apply for, and implement, grants that develop and test new initiatives;
 - Develop and distribute ATW, Texercise, Age Well Live Well, and Volunteer and Community Engagement public awareness materials; and
 - Support local community efforts to provide educational opportunities such as Senior Expos, community health fairs, etc. as requested.

ASSESSMENT OF ADVISORY COMMITTEES
April, 2016
539 - Department of Aging and Disability Services

To assist in the process required by Chapter 2110, Texas Government Code, state agencies should submit an assessment of advisory committees using the format provided. Please submit your assessment for each advisory committee under your agency's purview. Include responses for committees created through statute, administrative code or ad-hoc by your agency. Include responses for all committees, whether ongoing or inactive and regardless of whether you receive appropriations to support the committee. Committees already scheduled for abolishment within the 2016-17 biennium are omitted from the scope of this survey. When submitting information for multiple advisory committees, right-click the sheet "Cmte1", select Move or Copy, select Create a copy and move to end.

NOTE: Only the items in blue are required for inactive committees.

SECTION A: INFORMATION SUBMITTED THROUGH ADVISORY COMMITTEE SUPPORTING SCHEDULE IN LEGISLATIVE APPROPRIATIONS REQUEST

Committee Name:

Number of Members:

Committee Status (Ongoing or Inactive):

Date Created: **Date to Be Abolished:**

Budget Strategy (Strategies) (e.g. 1-2-4) **Strategy Title (e.g. Occupational Licensing)**
Budget Strategy (Strategies) **Strategy Title**

<u>State / Federal Authority</u>	<u>Select Type</u>	<u>Identify Specific Citation</u>
State Authority	Admin Code	Texas Government Code §531.012
State Authority	Admin Code	
State Authority		
Federal Authority	Other	The Domestic Volunteer Service Act of 1973 (United States Code, Title 42 §§4950 et seq.)
Federal Authority	Other	Code of Federal Regulations, Title 45, §2552.24
Federal Authority		

Advisory Committee Costs: This section includes reimbursements for committee member costs and costs attributable to agency staff support.

Committee Members' <u>Direct</u> Expenses	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$0	\$0	\$0

Committee Members' Indirect Expenses

	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel	\$0	\$0	\$0
Personnel	\$0	\$0	\$0
Number of FTEs	0.0	0.0	0.0
Other Operating Costs	\$0	\$0	\$0
<i>Total, Committee Expenditures</i>	\$0	\$0	\$0

Method of Financing

	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Method of Finance			
1 - General Revenue Fund	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0

Expenses / MOFs Difference:

Meetings Per Fiscal Year

Committee Description:

The FGPAC assists the Texas Department of Aging and Disability Services, or HHSC (In this document, both agencies are referred to as HHSC) with the development of the Program and promotes community support for the Program in each geographically defined service area where foster grandparents are recruited, enrolled, and assigned.

SECTION B: ADDITIONAL COMMITTEE INFORMATION

Committee Bylaws: Please provide a copy of the committee's current bylaws and most recent meeting minutes as part of your submission.

Since the committee was not fully established until 3/20/2016, it does not yet have bylaws or meeting minutes.

1. When and where does this committee typically meet and is there any requirement as to the frequency of committee meetings?

Committees are required to meet semi-annually within each geographically defined service area where foster grandparents are recruited, enrolled, and assigned.

2. What kinds of deliverables or tangible output does the committee produce? If there are documents the committee is required to produce for your agency or the general public, please supply the most recent iterations of those.

Committee submits a written report of its activities to the commissioner or designee every odd numbered year.

3. What recommendations or advice has the committee most recently supplied to your agency? Of these, which were adopted by your agency and what was the rationale behind not adopting certain recommendations, if this occurred?

No recommendations have been supplied. The committee was not formally established until 3/20/2016.

4a. Does your agency believe that the actions and scope of committee work is consistent with their authority as defined in its enabling statute and relevant to the ongoing mission of your agency ?

Yes

4b. Is committee scope and work conducted redundant with other functions of other state agencies or advisory committees?

No

5a. Approximately how much staff time (in hours) was used to support the committee in fiscal year 2015?

N/A

5b. Please supply a general overview of the tasks entailed in agency staff assistance provided to the committee.

Secure meeting location and assist with report development.

6. Have there been instances where the committee was unable to meet because a quorum was not present?

No

Please provide committee member attendance records for their last three meetings, if not already captured in meeting minutes. Since the committee was not fully established until 3/20/2016, it does not yet have bylaws or meeting minutes.

7a. What opportunities does the committee provide for public attendance, participation, and how is this information conveyed to the public (e.g. online calendar of events, notices posted in Texas Register, etc.)?

Meetings are open to the public and notices are posted on the DADS foster grandparent and the DADS calendar of events webpages.

7b. Do members of the public attend at least 50 percent of all committee meetings?

Yes

7c. Are there instances where no members of the public attended meetings?

No

8. Please list any external stakeholders you recommend we contact regarding this committee.

None.

9a. In the opinion of your agency, has the committee met its mission and made substantive progress in its mission and goals?

Yes

9b. Please describe the rationale for this opinion.

The committee was not formally established until 3/20/2016. No formal goals existed prior to that date.

10. Given that state agencies are allowed the ability to create advisory committees at will, either on an ad-hoc basis or through amending agency rule in Texas Administrative Code:

10a. Is there any functional benefit for having this committee codified in statute?

Yes

10b. Does the scope and language found in statute for this committee prevent your agency from responding to evolving needs related to this policy area?

No

10c. If "Yes" for Question 10b, please describe the rationale for this opinion.

N/A

11a. Does your agency recommend this committee be retained, abolished or consolidated with another committee elsewhere (either at your agency or another in state government)?

Retain

11b. Please describe the rationale for this opinion.

Based on analysis recently conducted and recommendations approved by the HHSC Executive Commissioner on 10/31/15, this advisory committee should be retained.

12a. Were this committee abolished, would this impede your agency's ability to fulfill its mission?

Yes

12b. If "Yes" for Question 12a, please describe the rationale for this opinion.

The tasks of an FGPAC include assisting:

- the Program to recruit volunteers and volunteer stations where foster grandparents are assigned;
- the Program to meet its administrative and program responsibilities, including fund-raising, publicity, and volunteer recognition events;
- with annual appraisals or surveys of the Program; and
- the Program to recruit FGPAC members.

13. Please describe any other suggested modifications to the committee that would help the committee or agency better fulfill its mission.

ASSESSMENT OF ADVISORY COMMITTEES
April, 2016
539 - Department of Aging and Disability Services

To assist in the process required by Chapter 2110, Texas Government Code, state agencies should submit an assessment of advisory committees using the format provided. Please submit your assessment for each advisory committee under your agency's purview. Include responses for committees created through statute, administrative code or ad-hoc by your agency. Include responses for all committees, whether ongoing or inactive and regardless of whether you receive appropriations to support the committee. Committees already scheduled for abolishment within the 2016-17 biennium are omitted from the scope of this survey. When submitting information for multiple advisory committees, right-click the sheet "Cmte1", select Move or Copy, select Create a copy and move to end.

NOTE: Only the items in blue are required for inactive committees.

SECTION A: INFORMATION SUBMITTED THROUGH ADVISORY COMMITTEE SUPPORTING SCHEDULE IN LEGISLATIVE APPROPRIATIONS REQUEST

Committee Name:

Number of Members:

Committee Status (Ongoing or Inactive): Note: An Inactive committee is a committee that was created prior to the 2014-15 biennium but did not meet or supply advice to an agency during that time period.

Date Created: **Date to Be Abolished:**

Budget Strategy (Strategies) (e.g. 1-2-4): **Strategy Title (e.g. Occupational Licensing) Strategy Title:**

<u>State / Federal Authority</u>	<u>Select Type</u>	<u>Identify Specific Citation</u>
State Authority	Statute	Health and Safety Code, Chapter 242.303
State Authority	Admin Code	40 TAC Chapter 18.3
State Authority	Admin Code	40 TAC Chapter 89.6
Federal Authority		
Federal Authority		
Federal Authority		

Advisory Committee Costs: This section includes reimbursements for committee member costs and costs attributable to agency staff support.

Committee Members' <u>Direct</u> Expenses		Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel		\$6,891	\$7,674	\$8,000
Personnel		\$0	\$0	\$0
Number of FTEs		0.0	0.0	0.0
Other Operating Costs		\$0	\$0	\$0
<i>Total, Committee Expenditures</i>		\$6,891	\$7,674	\$8,000

Committee Members' <u>Indirect</u> Expenses		Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel		\$0	\$0	\$0
Personnel		\$0	\$0	\$0
Number of FTEs		0.0	0.0	0.0
Other Operating Costs		\$0	\$0	\$0
<i>Total, Committee Expenditures</i>		\$0	\$0	\$0

Method of Financing

	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Method of Finance			
1 - General Revenue Fund	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
Expenses / MOFs Difference:	\$6,891	\$7,674	\$8,000

Meetings Per Fiscal Year

	4	4	4
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Committee Description:

The NFAAC is a nine member governor appointed committee that advises DADS on: the licensing process of nursing facility administrators; minimum standards of conduct for the practice of nursing facility administration; proposed rule changes; complaints and referrals against administrators; and sanctions for rule violations.

SECTION B: ADDITIONAL COMMITTEE INFORMATION

Committee Bylaws: Please provide a copy of the committee's current bylaws and most recent meeting minutes as part of your submission.

1. When and where does this committee typically meet and is there any requirement as to the frequency of committee meetings? The NFAAC is required to meet quarterly. It does meet quarterly, at the John H. Winters building at 701 W. 51st Street, Austin, TX in the DADS Public Hearing Room.

2. What kinds of deliverables or tangible output does the committee produce? If there are documents the committee is required to produce for your agency or the general public, please supply the most recent iterations of those.

Recommendation of sanctions for NFA licensure referrals and complaints; and advisement on the NFA licensing process, standards of conduct and proposed rule changes. There are no documents the committee is required to produce for the agency or the general public.

3. What recommendations or advice has the committee most recently supplied to your agency? Of these, which were adopted by your agency and what was the rationale behind not adopting certain recommendations, if this occurred?

The recommendation of sanctions for NFA licensure referrals and complaints at last NFAAC public hearing on February 22, 2016. All of the committee's recommendations were accepted and proposed by DADS to each appropriate nursing facility administrator.

4a. Does your agency believe that the actions and scope of committee work is consistent with their authority as defined in its enabling statute and relevant to the ongoing mission of your agency ? Yes

4b. Is committee scope and work conducted redundant with other functions of other state agencies or advisory committees? No

5a. Approximately how much staff time (in hours) was used to support the committee in fiscal year 2015? 220 hours

5b. Please supply a general overview of the tasks entailed in agency staff assistance provided to the committee.

Scheduling, preparation and room/equipment setup for each meeting; NFA investigation and reports to provide to committee; Printing, copying, scanning packaging and mailing of all applicable NFA reports and documents to each NFAAC member; publishing of quarterly meeting notice and agenda in Texas Register; posting of minutes from each meeting; preparation of travel for each member; coordination with PCEU, Media Services, Legal, NFA Licensing, Regulatory Services and committee members for each meeting.

6. Have there been instances where the committee was unable to meet because a quorum was not present?

Yes

Please provide committee member attendance records for their last three meetings, if not already captured in meeting minutes.

7a. What opportunities does the committee provide for public attendance, participation, and how is this information conveyed to the public (e.g. online calendar of events, notices posted in Texas Register, etc.)?

Accepts public comment on rules and public testimony on recommended disciplinary actions related to NFAs at committee open meetings. This information is conveyed to the public via online calendar of events on DADS webpage; notices posted in the Texas Register; letters to each applicable nursing facility administrator and/or attorney.

7b. Do members of the public attend at least 50 percent of all committee meetings?

Yes

7c. Are there instances where no members of the public attended meetings?

No

8. Please list any external stakeholders you recommend we contact regarding this committee.

Texas Health Care Association (THCA); Texas Advocates for Nursing Home Residents (TANHR); Seasons Seminars; Diamond Decisions; CHA Seminars

9a. In the opinion of your agency, has the committee met its mission and made substantive progress in its mission and goals?

Yes

9b. Please describe the rationale for this opinion.

The committee generally reviews all NFA referrals and complaints, meets, and recommends sanctions to the agency.

10. Given that state agencies are allowed the ability to create advisory committees at will, either on an ad-hoc basis or through amending agency rule in Texas Administrative Code:

10a. Is there any functional benefit for having this committee codified in statute?

Yes

10b. Does the scope and language found in statute for this committee prevent your agency from responding to evolving needs related to this policy area?

No

10c. If "Yes" for Question 10b, please describe the rationale for this opinion.

N/A

11a. Does your agency recommend this committee be retained, abolished or consolidated with another committee elsewhere (either at your agency or another in state government)?

Retain

11b. Please describe the rationale for this opinion.

Based on analysis recently conducted and recommendations approved by the HHSC Executive Commissioner on 10/31/15, this advisory committee should be retained.

12a. Were this committee abolished, would this impede your agency's ability to fulfill its mission?

No

12b. If "Yes" for Question 12a, please describe the rationale for this opinion.

N/A

13. Please describe any other suggested modifications to the committee that would help the committee or agency better fulfill its mission.

Appointment by the Governor's Office to replace expired committee members.

NURSING FACILITY ADMINISTRATORS

ADVISORY COMMITTEE BYLAWS

Adopted 3/24/06

ARTICLE I. NAME AND PLACE OF BUSINESS

I.1 NAME

This organization shall be known as the Nursing Facility Administrators Advisory Committee (NFAAC).

I.2 OFFICE

The main office of this Committee is located at 701 West 51st Street, Austin, Texas 78751.

I.3 MAILING ADDRESS

The mailing address of this Committee is P.O. Box 149030 (E-302), Austin, Texas 78714-9030.

ARTICLE II. RESPONSIBILITIES

II.1 ROLE OF THE COMMITTEE

The Committee shall advise the Department of Aging and Disability Services (DADS) on the licensing of nursing facility administrators, including the content of applications for licensure and of the examination administered to license applicants. The Committee shall review and recommend rules and minimum standards of conduct for the practice of nursing facility administration. The Committee shall review all complaints against administrators and make recommendations to the department regarding disciplinary actions. Failure of the Committee to review complaints and make recommendations in a timely manner shall not prevent the department from taking disciplinary action.

ARTICLE III. MEMBERSHIP AND PARTICIPATION

III.1 MEMBERSHIP

The Committee shall consist of:

- three (3) licensed nursing facility administrators, at least one of whom shall represent a not-for-profit nursing facility;

- one (1) physician with experience in geriatrics who is not employed by a nursing facility;
- one (1) registered nurse with experience in geriatrics who is not employed by a nursing facility;
- one (1) social worker with experience in geriatrics who is not employed by a nursing facility; and
- three (3) public members with experience working with the chronically ill and infirm.

III.2 TERMS

Members serve for a six (6) year staggered terms as prescribed by law.

III.3 ASSISTANT COMMISSIONER FOR REGULATORY SERVICES

All recommendations, advice and reports generated by the Committee shall be submitted in writing to the Assistant Commissioner for Regulatory Services and the Governor's Office. All recommendations will be evaluated in light of current policies, procedures, rules, statutes, judicial mandates, legislative mandates and the best interest of the public.

III.4 STAFF PARTICIPATION

The Assistant Commissioner for Regulatory Services will appoint a staff member as the Program Coordinator to serve as liaison to the Committee. The Program Coordinator shall serve without vote and may represent the Assistant Commissioner in her/his absence. The Program Coordinator will provide support and coordination for all NFAAC activities. The Program Coordinator shall:

- Work with the committee members to ensure smooth operation of committee activities;
- Develop the meeting agenda in cooperation with the Chair and other members of the committee;
- Distribute agenda and related materials for committee meetings;
- Ensure that proposed policies and rules are reviewed by the committee before final adoption. NOTE: Advisory committee review of rules may be by-passed only in an emergency. Rules must be shared with the committee at its first meeting following adoption of emergency rule;
- Handle the logistics of committee meetings;
- Publish meeting notices in the Texas Register;
- Prepare and distribute minutes of meetings;

- Respond to committee recommendations and provide feedback on recommendations submitted to DADS ;
- Provide the committee with a quarterly Disciplinary Action Log of final actions;
- Process advisory committee travel reimbursement requests;
- Track committee expenses, including advisory travel and staff support costs;
- Participate in an annual review of committee activities, and form recommendations about changes in the direction and the continuance of the committee;
- Respond to inquiries and correspondence about the committee and related activities;
- Perform other duties as specified by the Assistant Commissioner for Regulatory Services or designee; and
- Provide pertinent case information requested by committee members when needed to perform committee requirements.

III.5 SUBCOMMITTEES

The Committee chair may establish subcommittees after approval by a committee vote and appoint members in cooperation with the Program Coordinator. The chair of a subcommittee must be a member of the NFAAC Advisory Committee. The size of subcommittees shall be kept to a minimum and the need for continuance of the subcommittees to be examined at the end of the fiscal year.

Ad hoc subcommittees must be appointed for a specific purpose and disbanded upon completion of the task.

Subcommittees that have membership outside the committee must have written operating procedures that address the purpose, number of members, method of appointment, length of terms, and expiration date.

ARTICLE IV. MEETINGS AND VOTING

IV.1 MEETINGS

Meetings shall be scheduled for the entire year at the beginning of each year to facilitate member attendance, the ability to obtain a quorum and securing discounted advance purchase airline fares.

Meetings shall be scheduled so that a majority of the members can travel to and from the meeting in the same day.

All members shall be given a second written notice of each meeting with a copy of the meeting agenda, at least ten (10) days prior to meeting dates.

All members will advise the department if they will be unable to attend any scheduled meeting as early as possible, but no later than ten (10) days prior to the scheduled meeting date, except in the case of an emergency.

IV.2 SPECIAL MEETINGS

Special meetings may be called at the discretion of the Chair, at the request of any six (6) members or at the request of the Assistant Commissioner or designee.

IV.3 QUORUM

A quorum must be present for the committee to conduct business. More than one-half of the current voting membership or five (5) Committee members constitutes a quorum. In the event that the Chair and Vice-Chair are not present, members will vote to designate a presiding officer.

IV.4. VOTING

- When a case is first presented for discussion, members shall verbally provide notice of abstention from discussing and voting on cases that would result in a conflict of interest.
- Each Committee member shall have one vote.
- The Committee Chair may vote for the purpose of breaking a tie vote or creating a tie vote.

IV.5 MAJORITY ACTION

Every act or decision of the Committee, with the exception of Bylaw amendments, shall be made by a majority of Committee members present and eligible to vote.

IV.6 PARLIAMENTARY PROCEDURE

The NFAAC will follow parliamentary procedure.

ARTICLE V. RESPONSIBILITIES OF MEMBERS

Advisory committees as a whole provide a method for the public to bring issues to DADS' ' attention and serve as a channel for providing information back to the public.

Individual advisory committee members make contact with local and regional field staff, providers, advocates, interest groups, and others as appropriate to discuss the effect of proposed policy and any other related issues that should be shared with the staff and/or committee. Advisory committee members make contact with and relay pertinent information about committee actions to providers, advocates, and interest groups.

Advisory committee members will treat the public, program staff, and each other with dignity and respect and perform their official duties in a courteous and professional manner.

ARTICLE VI. OFFICERS

VI.1 OFFICERS

Each committee will have a Chair and Vice-Chair. The committee will elect officers at the last meeting of the year, provided that a quorum is present.

The Chair and Vice -Chair may serve for one (1) year or two (2) consecutive one (1) year terms, commencing the first of January.

VI.2 ELECTION PROCEDURES

- Election procedures are held annually at the last committee meeting of the year unless a quorum is not present; at which time the election process is delayed until the next meeting when a quorum is present.
- Nominations of officers and subsequent votes for nominees are submitted to the DADS Program Coordinator by written ballot from the membership in attendance.
- If only one member is nominated for an office, that member is elected by acclamation to that office.
- When two or more members are nominated for one office, the nominee receiving the majority of the votes from the membership in attendance is elected to that office.
- If no one member receives a simple majority of the ballots, the nominee who received the lowest number of ballots is dropped and the members cast written ballots for the remaining nominees. This procedure is repeated until a nominee receives a majority of the votes.

VI.3 DUTIES

Each officer shall be expected to fulfill his/her assigned duties and other appropriate duties requested by the Committee.

A. CHAIR

- Conduct meetings in accordance with parliamentary procedure;
- Work with members and staff to develop the meeting agenda;
- Encourage and elicit participation from all members;
- Monitor and submit a report on member attendance to the Governor's Office at the end of each fiscal year;

- Encourage members to comply with travel guidelines;
- Appoint approved subcommittees in cooperation with the Program Coordinator;
- Develop and finalize an annual report on committee activities, based on discussions with members and the Program Coordinator in the last meeting of the fiscal year, for submission to DADS ; the Governor’s Office; and the House and Senate Chairperson of the Health and Human Services Committee;
- Attend special meetings as requested; and
- Serve as spokesperson of the Committee.

B. VICE-CHAIR

- Preside at meetings in the absence of the Chair;
- Assist with the Chair in the administration of the Committee;
- Assume all duties and responsibilities of the Chair, including representation on other advisory committees as appropriate in the event of disability of the Chair; and
- Assume additional duties as requested by the Committee.

C. COMMITTEE MEMBERS

See Item "V. RESPONSIBILITIES OF MEMBERS"

Attend all meetings.

ARTICLE VII. OPERATING EXPENSES

VII.1 OPERATING EXPENSES

All business operating expenses for travel, etc. shall be pre-arranged with the Assistant Commissioner or designee.

ARTICLE VIII. AMENDMENTS TO BYLAWS

VIII.1 AMENDMENTS

Amendments shall be voted on by the Committee only at regular meetings and after ten (10) days advance written notice to each member. Bylaws must be approved by a two-third vote of a quorum of the committee.

ARTICLE IX. COMPENSATION

IX.1 COMPENSATION

NFAAC members receive no compensation but are entitled to reimbursement for actual and necessary expenses incurred in performing the member duties as specified by law.

**Nursing Facility Administrator Advisory Committee
Meeting Minutes
November 14, 2014**

ATTENDEES

NFAAC Members

Ben Mazzara Chair
Donna Tilley Co- Chair
Barbara Manousso
David Smith
Dennis Myers
Linda Strong

DADS Staff

Susan Davis
Sylvia Delgado
Lynette Sanders
June Fau
Terri Lain
Trent Banks
Emma Gaskin
Diana Griffith
Janie Pulido

CALL TO ORDER

A quorum being present, Ben Mazzara, Chair, called the meeting to order at 10:40 a.m.

APPROVAL OF PREVIOUS MEETING MINUTES

The minutes of the previous NFAAC meeting, held May 16, 2014 were approved.

CONSIDERATION OF CASES PRESENTED

Barbara Manouso made a motion, seconded by Donna Tilley, that the Committee recommends dismissal en masse of cases in which the DADS investigators found no violation. The following cases were determined to be included in the motion:

1st batch (cases originally for 8/8/14 meeting that was canceled)

13-REG-R-02204	13-REG-R-02328	13-REG-R-02346
13-REG-R-02263	13-REG-R-02329	13-REG-R-02347
13-REG-R-02277	13-REG-R-02332	
13-REG-R-02295	13-REG-R-02335	
13-REG-R-02318	13-REG-R-02343	

2nd batch (cases for 11/14/14)

13-REG-R-02303	13-REG-R-02352	14-REG-R-02398
13-REG-R-02306	13-REG-R-02355	14-REG-R-02298
13-REG-R-02308	13-REG-R-02358	14-REG-R-02439
13-REG-R-02345	14-REG-R-02377	14-REG-R-02450
13-REG-R-02350	14-REG-R-02383	14-REG-C-02518

The motion was approved.

1st BATCH:

13-REG-R-02177

Motion: Letter of Reprimand and six (6) hours of continuing education; three (3) in Personnel Management (focus on leadership skill) and three (3) in Regulatory Management (focus on resident abuse reporting).

Made by:	Donna Tilley
Seconded by:	Barbara Manouso
Opposed by:	David Smith
Action on Motion:	Passed

13-REG-R-02191

Motion: Six (6) hours of continuing education in Resident Care Management; three (3) (focusing on medical pharmacy and three (3) focusing on policy & procedures).

Made by: Barbara Manouso
Seconded by: Dennis Myers
Action on motion: Unanimously Passed

13-REG-R-02224

Motion: Six (6) hours of continuing education in Resident Care Management; three (3) focusing on patient care and three (3) focusing on behavioral problems).

Made by: Barbara Manouso
Seconded by: Donna Tilley
Action on motion: Unanimously Passed

13-REG-R-02275

Motion: Three (3) hours of continuing education in Personnel Management (emphasis on supervision).

Made by: David Smith
Seconded by: Dennis Myers
Action on motion: Unanimously Passed

13-REG-R-02292

Motion: Six (6) hours of continuing education in Resident Care (emphasis on pharmacy drug control).

Made by: Donna Tilley
Seconded by: Barbara Manouso
Action on motion: Unanimously Passed

13-REG-R-02293

Motion: Dismissed

Made by: Dennis Myers
Seconded by: David Smith
Abstained by: Linda Strong
Action on motion: Unanimously Passed

13-REG-R-02300

Motion#1: Three (3) hours of continuing education in Environmental Management; (emphasis on safety & security).

Made by: Dennis Myers
Seconded by: Donna Tilley
Action on motion: Unanimously Passed

13-REG-R-02309

Motion: Twelve (12) hours of continuing education; six (6) in Personnel Management (focus on policy & procedures) and six (6) Environmental Management (focus on repairs and maintenance).

Made by: Donna Tilley
Seconded by: Dennis Myers
Opposed by: Linda Strong
Action on motion: Passed

13-REG-R-02317

Motion: Dismissed

Made by: Dennis Myers
Seconded by: Donna Tilley
Action on motion: Unanimously Passed

13-REG-R-02321

Motion: Six (6) hours of continuing education in Resident Care Management (emphasis on health status of residents).

Made by: Dennis Myers
Seconded by: Barbara Manouso
Action on motion: Unanimously Passed

13-REG-R-02322

Motion: Six (6) hours of continuing education in Personnel Management (emphasis on supervision).

Made by: Linda Strong
Seconded by: Dennis Myers
Abstained by: David Smith
Action on motion: Passed

13-REG-R-02326

Motion: Dismissed

Made by: Dennis Myers
Seconded by: David Smith
Action on motion: Unanimously Passed

13-REG-C-02330

Motion: Six (6) hours of continuing education in Personnel Management (emphasis on administration).

Made by: Linda Strong
Seconded by: Barbara Manouso
Action on motion: Unanimously Passed

13-REG-R-02331

Motion: Twelve (12) hours of continuing education; six (6) in Personnel Management (focus on supervision) and six (6) on the role of the administrator).

Made by: Dennis Myers
Seconded by: Linda Strong
Action on motion: Unanimously Passed

13-REG-R-02334

Motion: Three (3) hours of continuing education in Resident Care Management; (emphasis on pain management).

Made by: Donna Tilley
Seconded by: Dennis Myers
Action on motion: Unanimously Passed

13-REG-R-02339

Motion: Dismissed

Made by: Barbara Manouso
Seconded by: David Smith
Opposed by: Donna Tilley
Action on motion: Passed

13-REG-R-02344

Motion: Letter of Reprimand and Six (6) hours of continuing education in Regulatory Management (emphasis on resident abuse reporting).

Made by: Donna Tilley
Seconded by: Barbara Manouso
Action on motion: Unanimously Passed

13-REG-R-02348

Motion#1: Three (3) hours of continuing education in Resident Care Management; (emphasis on smoking policy).

Made by: Donna Tilley
Seconded by: David Smith
Action on motion: Unanimously Passed

14-REG-R-02396

Motion: Six (6) hours of continuing education in Resident Care Management (emphasis on pain management).

Made by: David Smith
Seconded by: Linda Strong
Action on motion: Unanimously Passed

14-REG-R-02397

Motion: Six (6) hours of continuing education in Personnel Management (emphasis on policy & procedures).

Made by: Donna Tilley
Seconded by: Barbara Manouso
Action on motion: Unanimously Passed

14-REG-R-02410

Motion: Three (3) hours of continuing education in Personnel Management (emphasis on performance review).

Made by: David Smith
Seconded by: Dennis Myers
Action on motion: Unanimously Passed

14-REG-R-02416

Motion#1: Letter or Reprimand and nine (9) hours of continuing education; six (6) in Personnel Management; three (3) (emphasis on supervision and three (3) emphasis on role of administration), and three (3) in Resident Care management; (emphasis on policy & procedures).

Made by: Barbara Manouso
Seconded by: David Smith
Opposed by: Linda Strong, Dennis Myers, Donna Tilley
Action on motion: Failed

Motion#2: Nine (9) hours of continuing education; six (6) in Personnel Management; three (3) (emphasis on supervision and three (3)

emphasis on role of administration), and three (3) in Resident Care management; (emphasis on policy & procedures).

Made by: David Smith
Seconded by: Linda Strong
Opposed by: Barbara Manousso
Action on motion: Passed

14-REG-R-02481

Motion: Three (3) hours of continuing education in Environmental Management (emphasis on equipment).

Made by: Dennis Myers
Seconded by: Donna Tilley
Abstained by: David Smith
Action on motion: Passed

2nd BATCH:

13-REG-R-02283

Motion: Revocation

Made by: Donna Tilley
Seconded by: Barbara Manousso
Action on motion: Unanimously Passed

13-REG-R-02305

Motion: Dismissed

Made by: David Smith
Seconded by: Dennis Myers
Action on motion: Passed

13-REG-R-02324

Motion: Six (6) hours of continuing education in Resident Care Management; (emphasis on policy & procedures).

Made by: Linda Strong
Seconded by: Donna Tilley
Opposed: Dennis Myers
Action on motion: Passed

13-REG-R-02333

Motion: Twelve (12) hours of continuing education; six (6) in Personnel Management (focus on performance review) and six (6) in Resident Care (focus on skincare).

Made by: David Smith
Seconded by: Linda Strong
Action on motion: Unanimously Passed

13-REG-R-02349

Motion: Nine (9) hours of continuing education in Personnel Management; three (3) (emphasis on policy & procedures) and six (6) (emphasis on orientation staff training).

Made by: Donna Tilley
Seconded by: Linda Strong
Action on motion: Unanimously Passed

13-REG-R-02353

Motion: Six (6) hours of continuing education in Regulatory Management; three (3) hours in resident abuse reporting and three (3) in incidents & accident reporting.

Made by: Linda Strong
Seconded by: David Smith
Action on motion: Unanimously Passed

13-REG-R-02357

Motion: Nine (9) hours of continuing education; six (6) in Resident Care Management (focusing on three (3) in incident reporting and three (3) in skin care protocol) and three (3) in Personnel Management focusing in staffing).

Made by: Linda Strong
Seconded by: Barbara Manouso
Abstained by: David Smith
Action on motion: Passed

13-REG-R-02362

Motion: Three (3) hours of continuing education in Regulatory (emphasis in resident abuse reporting).

Made by: Dennis Myers
Seconded by: Donna Tilley
Action on motion: Unanimously Passed

13-REG-R-02363

Motion: Three (3) hours of continuing education in Regulatory Management (emphasis on abuse reporting).

Made by: Donna Tilley
Seconded by: Barbara Manouso
Action on motion: Unanimously Passed

14-REG-R-02374

Motion: Twelve (12) hours of continuing education; six (6) hours in Personnel Management (emphasis on supervision) and three (3) hours in Organizational Management (emphasis on research policies) and three (3) hours in Regulatory Management (emphasis on incidents and accidents).

Made by: Donna Tilley
Seconded by: David Smith
Action on motion: Unanimously Passed

14-REG-R-02378

Motion: Fifteen (15) hours of continuing education; nine (9) hours in Environmental Management (emphasis on cleaning routines) and six (6) hours in Resident Care Management (emphasis on fall prevention).

Made by: Dennis Myers
Seconded by: David Smith
Action on motion: Unanimously Passed

14-REG-R-02379

Motion: Three (3) hours of continuing education in Resident Care Management (emphasis on smoking policy).

Made by: Barbara Manouso
Seconded by: David Smith
Opposed by: Linda Strong, Dennis Myers
Action on motion: Passed

14-REG-R-02384

Motion: Eighteen (18) hours of continuing education; twelve (12) in Resident Care Management (focusing on six (6) in pain management and six (6) in patient evacuation safety) and six (6) in Personnel Management (focusing in safety or training).

Made by: Donna Tilley
Seconded by: Linda Strong
Abstained by: David Smith
Action on motion: Passed

14-REG-R-02392

Motion: Three (3) hours of continuing education in Environmental Management (emphasis on pest control).

Made by: Dennis Myers
Seconded by: Barbara Manouso
Opposed by: Donna Tilley, David Smith
Action on motion: Passed

14-REG-R-02399

Motion: Three (3) hours of continuing education in Resident Care Management (emphasis on dementia care).

Made by: Barbara Manouso
Seconded by: Dennis Myers
Opposed by: Donna Tilley, David Smith
Action on motion: Passed

14-REG-R-02403

Motion: Dismissed

Made by: Dennis Myers
Seconded by: Barbara Manouso
Opposed by: Linda Strong, Donna Tilley
Action on motion: Passed

14-REG-R-02404

Motion: Three (3) hours of continuing education in Resident Care Management (emphasis on fall prevention).

Made by: Dennis Myers
Seconded by: Barbara Manouso
Action on motion: Unanimously Passed

14-REG-R-02458

Motion: Six (6) hours of continuing education in Resident Care Management (emphasis on behavioral problems).

Made by: Donna Tilley
Seconded by: Dennis Myers
Action on motion: Unanimously Passed

DISCUSSION

The committee members voted on the New Calendar for 2015, to reach approval status. Dates are: February 6, 2015, May 8, 2015, August 7, 2015 and November 13, 2015. All NFAAC meetings will begin at 10:30 a.m.

ELECTION OF OFFICERS

Results of election:

Donna Tilley – Chair
Dennis Myers – Co-Chair

NEXT MEETING

Next NFAAC meeting is scheduled for February 6, 2015, in the Public Hearing Room of the John H. Winters Building at 10:30 a.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 2:30 p.m.

Nursing Facility Administrator Advisory Committee Meeting Minutes February 6, 2015

ATTENDEES

NFAAC Members

Donna Tilley Chair
Dennis Myers Co-Chair
Susan Farris
Barbara Manouso
David Smith
Linda Strong
Anita Nelson

DADS Staff

Ryan Bane
Lynette Sanders
Patrick Duer
Paul Cevallos
June Fau
Terri Lain
Trent Banks
Paul Ruiz
Sherry Roark
Emma Gaskin
Diana Griffith
Janie Pulido

CALL TO ORDER

A quorum being present, Donna Tilley, Chair, called the meeting to order at 10:34 a.m.

APPROVAL OF PREVIOUS MEETING MINUTES

The minutes of the previous NFAAC meeting, held November 14, 2014 were approved.

CONSIDERATION OF CASES PRESENTED

Susan Farris made a motion, seconded by Linda Strong, that the Committee recommends dismissal en masse of cases in which the DADS investigators found no violation. The following cases were determined to be included in the motion:

13-REG-R-02351	14-REG-R-02405	14-REG-R-02435
13-REG-R-02365	14-REG-R-02409	14-REG-R-02442
13-REG-R-02366	14-REG-R-02414	14-REG-R-02449
13-REG-R-02393	14-REG-R-02415	14-REG-R-02459
14-REG-R-02395	14-REG-R-02418	

The motion was approved.

13-REG-R-02228

Motion: Dismissed
Made by: David Smith
Seconded by: Anita Nelson
Action on Motion: Unanimously Passed

13-REG-R-02231

Motion: Three (3) hours of continuing education in Regulatory Management in abuse reporting.

Made by: Linda Strong
Seconded by: David Smith
Action on motion: Unanimously Passed

14-REG-R-02387

Motion: Dismissed

Made by: Dennis Myers
Seconded by: Barbara Manouso
Opposed by: David Smith
Action on motion: Passed

14-REG-R-02394

Motion: Six (6) hours of continuing education; three (3) hours in smoking and three (3) hours in fall prevention.

Made by: Dennis Myers
Seconded by: Barbara Manouso
Opposed by: David Smith, Anita Nelson
Action on motion: Passed

14-REG-R-02406

Motion#1: Dismissed

Made by: Dennis Myers
Seconded by: Barbara Manouso
Opposed by: David Smith, Anita Nelson, Linda Strong, Susan Farris
Action on motion: Fails

Motion#2: Letter of Reprimand for failure to supervise the DON.

Made by: David Smith
Seconded by: Susan Farris
Opposed by: Linda Strong, Dennis Myers
Action on motion: Passed

14-REG-R-02407

Motion: Denial of application for License Renewal

Made by: Susan Farris
Seconded by: Linda Strong
Action on motion: Unanimously Passed

14-REG-R-02408

Motion: Dismissed

Made by: David Smith
Seconded by: Dennis Myers
Action on motion: Unanimously Passed

14-REG-R-02507

Motion#1: Twelve (12) hours of continuing education; six (6) in Personnel Management (focus on Leadership) and six (6) Resident Care Management (focus on safety & security; elopment).

Made by: Barbara Manouso
Seconded by: Linda Strong
Opposed by: Anita Nelson, David Smith, Dennis Myers, Susan Farris
Action on motion: Fails

Motion #2: Three (3) hours of continuing education in Personnel Management.

Made by: Dennis Myers
Seconded by: Anita Nelson
Action on motion: Unanimously Passed

14-REG-R-02511

Motion: Twenty-Four (24) hours of continuing education; six (6) hours in Resident Care Management (emphasis in safety & security), and six (6) in Personnel Management (emphasis in the role of administration and supervision), and six (6) in Regulatory Management (emphasis in delegations of duties), and six (6) in accidents and incidents).

Made by: Barbara Manouso
Seconded by: Susan Farris
Action on motion: Unanimously Passed

14-REG-R-02525

Motion: Letter of Reprimand for failure to insure staff of training in CPR.

Made by: Susan Farris
Seconded by: Dennis Myers
Action on motion: Unanimously Passed

14-REG-R-022526

Motion: Twelve (12) hours of continuing education in Regulatory Management; six (6) in resident abuse reporting, and six (6) in incidents and accidents.

Made by: Dennis Myers
Seconded by: Anita Nelson
Action on motion: Unanimously Passed

DISCUSSION

The introduction of the Licensing and Credentialing Unit's new Director, Cindy Bourland, and from the Licensing Professional Credentialing Enforcement Unit's new Investigator, Sherry Roark. The next upcoming committee will be on May 8, 2015. All NFAAC meetings will begin at 10:30 a.m. and once approved are posted on our DADS website at: http://www.dads.state.tx.us/news_info/council/nfaac/index.html

NEXT MEETING

Next NFAAC meeting is scheduled for May 8, 2015, in the Public Hearing Room of the John H. Winters Building at 10:30 a.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 11.47 p.m.

**Nursing Facility Administrator Advisory Committee
Meeting Minutes
May 8, 2015**

ATTENDEES

NFAAC Members

Donna Tilley Chair
Dennis Myers Co-Chair
Susan Farris
Barbara Manouso
David Smith
Michael Keller
Ben Mazzara

DADS Staff

Susan Davis
Cindy Bourland
Ryan Bane
Lynette Sanders
Patrick Duer
Paul Cevallos
June Fau
Terri Lain
Trent Banks
Paul Ruiz
Sherry Roark
Emma Gaskin
Diana Griffith
Janie Pulido

CALL TO ORDER

A quorum being present, Donna Tilley, Chair, called the meeting to order at 10:36 a.m.

APPROVAL OF PREVIOUS MEETING MINUTES

The minutes of the previous NFAAC meeting, held February 6, 2015 were approved.

CONSIDERATION OF CASES PRESENTED

Susan Farris made a motion, seconded by Ben Mazzara, that the Committee recommends dismissal en masse of cases in which the DADS investigators found no violation. The following cases were determined to be included in the motion:

13-REG-R-02197	14-REG-R-02413	14-REG-R-02451	14-REG-R-02500
13-REG-R-02211	14-REG-R-02443	14-REG-R-02456	14-REG-R-02501
13-REG-R-02234	14-REG-R-02445	14-REG-R-02457	14-REG-R-02503
13-REG-R-02313	14-REG-R-02446	14-REG-R-02465	14-REG-R-02508
14-REG-R-02372	14-REG-R-02447	14-REG-R-02471	14-REG-R-02523

The motion was approved.

13-REG-R-02195

Motion: \$250.00 administrative penalty for failure to notify DADS of a change in current address within the 30 days required and six (6) hours of continuing education in Regulatory Management (focus in abuse & neglect reporting.)

Made by: Susan Farris,
Seconded by: Dennis Myers
Opposed: Ben Mazzara
Action on Motion: Passed

13-REG-R-02312

Motion: Dismissed
Made by: Barbara Manousso
Seconded by: David Smith
Opposed: Dennis Myers
Action on motion: Passed

14-REG-R-02400

Motion: Dismissed
Made by: Dennis Myers
Seconded by: Barbara Manousso
Action on motion: Unanimously Passed

14-REG-R-02401

Motion: Six (6) hours of continuing education in Personnel Management (emphasis in supervision).
Made by: Dennis Myers
Seconded by: Michael Keller
Opposed by: Susan Farris, Ben Mazzara
Action on motion: Passed

14-REG-R-02411

Motion#1: Before License renewal, Twelve (12) hours of continuing education in Regulatory Management (emphasis in abuse reporting), and six (6) months working under the direct supervision of a Certified Preceptor.
Made by: Ben Mazzara
Seconded by: David Smith
Action on motion: Unanimously Passed

14-REG-R-02436

1st Motion: Dismissed
Made by: Barbara Manousso
Seconded by: Ben Mazzara
Opposed: Susan Farris, Michael Keller, David Smith, Dennis Myers
Action on motion: Fails

2nd Motion: Fifteen (15) hours of continuing education: three (3) hours in Resident Care Management (emphasis in resident needs) and twelve (12) hours in Personnel Management (emphasis in supervision.)
Made by: Dennis Myers
Seconded by: David Smith
Action on motion: Unanimously Passed

14-REG-R-02448

Motion: Dismissed
Made by: Dennis Myers
Seconded by: Barbara Manousso
Action on motion: Passed

14-REG-R-02455

Motion: Letter of Reprimand for practicing as a licensed nursing facility administrator after license expiration.
Made by: Susan Farris
Seconded by: Dennis Myers
Opposed: Ben Mazzara
Action on motion: Passed

14-REG-R-02472

Motion: Eighteen (18) hours of continuing education; six (6) hours in Resident Care Management (emphasis in resident needs, pharmacy, care plans), and twelve (12) in Regulatory Management (emphasis in abuse reporting),
Made by: Ben Mazzara
Seconded by: Dennis Myers
Action on motion: Unanimously Passed

14-REG-R-02484

Motion: Dismissed
Made by: Dennis Myers
Seconded by: Barbara Manousso
Action on motion: Unanimously Passed

14-REG-R-02487

Motion: Dismissed
Made by: Susan Farris
Seconded by: Michael Keller
Opposed: David Smith
Action on motion: Passed

14-REG-R-02488

Motion: Six (6) hours of continuing education in Personnel Management (emphasis in supervision.)
Made by: Dennis Myers
Seconded by: Michael Keller
Action on motion: Unanimously Passed

14-REG-R-02498

Motion: \$250.00 administrative penalty for failure to notify DADS of a change in current address with the required 30 days and Six (6) hours of continuing education in Regulatory Management (focus in abuse & neglect reporting.)
Made by: Susan Farris
Seconded by: Dennis Myers
Action on motion: Unanimously Passed

14-REG-R-02499

Motion: Six (6) hours of continuing education in Personnel Management (focus in staff training.)
Made by: David Smith
Seconded by: Barbara Manousso
Action on motion: Unanimously Passed

14-REG-R-02504

Motion: Letter of Reprimand for failure to respond to an allegation of sexual abuse and six (6) hours of continuing education in Regulatory Management (focus in abuse reporting.)
Made by: Ben Mazzara
Seconded by: Michael Keller
Action on motion: Unanimously Passed

14-REG-R-02505

Motion: Six (6) hours of continuing education in Regulatory Management; three (3) hours in abuse reporting and three (3) hours in planning, organizing and delegations of duties.
Made by: David Smith
Seconded by: Dennis Myers
Action on motion: Unanimously Passed

14-REG-R-02510

Motion: Six (6) hours of continuing education in Regulatory Management (focus in abuse reporting.)
Made by: Ben Mazzara
Seconded by: Barbara Manousso
Action on motion: Unanimously Passed

14-REG-R-02532

Motion: A Letter of Reprimand for failure to report a death under unusual circumstances and \$250 administrative penalty (for failure to report a death under unusual circumstances.)
Made by: Susan Farris
Seconded by: Barbara Manousso
Opposed: David Smith
Action on motion: Passed

14-REG-R-02542

Motion: Nine (9) hours of continuing education; six (6) hours in Environmental Management (focusing in cleaning and infection control) and three (3) in Resident Care Management (focusing in care plans.)
Made by: Dennis Myers
Seconded by: Barbara Manousso
Action on motion: Unanimously Passed

14-REG-C-02641

Motion: Dismissed
Made by: Ben Mazzara
Seconded by: Dennis Myers
Action on motion: Unanimously Passed

DISCUSSION

The introduction of the Licensing and Credentialing Unit's new Director, Cindy Bourland, and from the Licensing Professional Credentialing Enforcement Unit's new Investigator, Sherry Roark. The next upcoming committee will be on May 8, 2015. All NFAAC meetings will begin at 10:30 a.m. and once approved are posted on our DADS website at: http://www.dads.state.tx.us/news_info/council/nfaac/index.html

NEXT MEETING

Next NFAAC meeting is scheduled for May 8, 2015, in the Public Hearing Room of the John H. Winters Building at 10:30 a.m.

ADJOURNMENT

There being no further business, the meeting adjourned at 11.47 p.m.

ASSESSMENT OF ADVISORY COMMITTEES
April, 2016
539 - Department of Aging and Disability Services

To assist in the process required by Chapter 2110, Texas Government Code, state agencies should submit an assessment of advisory committees using the format provided. Please submit your assessment for each advisory committee under your agency's purview. Include responses for committees created through statute, administrative code or ad-hoc by your agency. Include responses for all committees, whether ongoing or inactive and regardless of whether you receive appropriations to support the committee. Committees already scheduled for abolishment within the 2016-17 biennium are omitted from the scope of this survey. When submitting information for multiple advisory committees, right-click the sheet "Cmte1", select Move or Copy, select Create a copy and move to end.

NOTE: Only the items in blue are required for inactive committees.

SECTION A: INFORMATION SUBMITTED THROUGH ADVISORY COMMITTEE SUPPORTING SCHEDULE IN LEGISLATIVE APPROPRIATIONS REQUEST

Committee Name:

Number of Members:

Committee Status (Ongoing or Inactive): Note: An Inactive committee is a committee that was created prior to the 2014-15 biennium but did not meet or supply advice to an agency during that time period.

Date Created: **Date to Be Abolished:**

Budget Strategy (Strategies) (e.g. 1-2-4) **Strategy Title (e.g. Occupational Licensing)**

Budget Strategy (Strategies) **Strategy Title**

<u>State / Federal Authority</u>	<u>Select Type</u>	<u>Identify Specific Citation</u>
State Authority	Admin Code	Texas Human Resources Code
State Authority	Admin Code	Texas Government Code §531.012
State Authority		
Federal Authority	Public Law	Lifespan Respite Care Act, 42 USC, §300ii
Federal Authority		

Advisory Committee Costs: This section includes reimbursements for committee member costs and costs attributable to agency staff support.

Committee Members' <u>Direct</u> Expenses		Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel		\$0	\$0	\$0
Personnel		\$0	\$0	\$0
Number of FTEs		0.0	0.0	0.0
Other Operating Costs		\$0	\$0	\$0
<i>Total, Committee Expenditures</i>		\$0	\$0	\$0

Committee Members' <u>Indirect</u> Expenses		Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Travel		\$0	\$0	\$0
Personnel		\$0	\$0	\$0
Number of FTEs		0.0	0.0	0.0
Other Operating Costs		\$0	\$0	\$0
<i>Total, Committee Expenditures</i>		\$0	\$0	\$0

Method of Financing

	Expended Exp 2015	Estimated Est 2016	Budgeted Bud 2017
Method of Finance			
1 - General Revenue Fund	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
	\$0	\$0	\$0
Expenses / MOFs Difference:	\$0	\$0	\$0
	0	0	0

Meetings Per Fiscal Year

Committee Description:

The TRAC assists DADS or HHSC (In this document, both agencies are referred to as HHSC) to develop strategies to reduce barriers to access respite services; improve the quality of respite services; and provide training, education and support to family caregivers.

SECTION B: ADDITIONAL COMMITTEE INFORMATION

Committee Bylaws: Please provide a copy of the committee's current bylaws and most recent meeting minutes as part of your submission.

Since the committee was not fully established until 3/20/2016, it does not yet have bylaws or meeting minutes.

1. When and where does this committee typically meet and is there any requirement as to the frequency of committee meetings? The committee meets quarterly, as required. It meets in Austin.

2. What kinds of deliverables or tangible output does the committee produce? If there are documents the committee is required to produce for your agency or the general public, please supply the most recent iterations of those.
Committee submits a written report of its activities to the commissioner or designee every odd numbered year. No documents have yet been completed.

3. What recommendations or advice has the committee most recently supplied to your agency? Of these, which were adopted by your agency and what was the rationale behind not adopting certain recommendations, if this occurred?
No recommendations have been supplied. The committee was not formally established until 3/20/2016.

4a. Does your agency believe that the actions and scope of committee work is consistent with their authority as defined in its enabling statute and relevant to the ongoing mission of your agency ? Yes

4b. Is committee scope and work conducted redundant with other functions of other state agencies or advisory committees? No

5a. Approximately how much staff time (in hours) was used to support the committee in fiscal year 2015? N/A

5b. Please supply a general overview of the tasks entailed in agency staff assistance provided to the committee.
Create the agenda, take minutes, lead the meeting and assist with report development.

6. Have there been instances where the committee was unable to meet because a quorum was not present?

No

Please provide committee member attendance records for their last three meetings, if not already captured in meeting minutes. Since the committee was not fully established until 3/20/2016, it does not yet have bylaws or meeting minutes.

7a. What opportunities does the committee provide for public attendance, participation, and how is this information conveyed to the public (e.g. online calendar of events, notices posted in Texas Register, etc.)?

Meetings are open to the public and notices are posted on the DADS respite and the DADS calendar of events webpages.

7b. Do members of the public attend at least 50 percent of all committee meetings?

Yes

7c. Are there instances where no members of the public attended meetings?

No

8. Please list any external stakeholders you recommend we contact regarding this committee.

None.

9a. In the opinion of your agency, has the committee met its mission and made substantive progress in its mission and goals?

Yes

9b. Please describe the rationale for this opinion.

The committee was not formally established until 3/20/2016. No formal goals existed prior to that date.

10. Given that state agencies are allowed the ability to create advisory committees at will, either on an ad-hoc basis or through amending agency rule in Texas Administrative Code:

10a. Is there any functional benefit for having this committee codified in statute?

Yes

10b. Does the scope and language found in statute for this committee prevent your agency from responding to evolving needs related to this policy area?

No

10c. If "Yes" for Question 10b, please describe the rationale for this opinion.

N/A

11a. Does your agency recommend this committee be retained, abolished or consolidated with another committee elsewhere (either at your agency or another in state government)?

Retain

11b. Please describe the rationale for this opinion.

Based on analysis recently conducted and recommendations approved by the HHSC Executive Commissioner on 10/31/15, this advisory committee should be retained.

12a. Were this committee abolished, would this impede your agency's ability to fulfill its mission?

Yes

12b. If "Yes" for Question 12a, please describe the rationale for this opinion.

The committee supports key tasks related to the mission of the agency. The tasks of the TRAC include:

- assisting HHSC to identify barriers and best practices for providing and coordinating respite services in Texas;
- responding to requests from HHSC for information about the respite needs of caregivers;
- advising HHSC about effective methods for expanding the availability of affordable respite services in Texas through the use of funds available from respite care programs;
- cooperating and sharing resources and knowledge among community stakeholders to facilitate barrier free access for primary caregivers; and
- educating the public on the need for community-based options for primary caregivers.

13. Please describe any other suggested modifications to the committee that would help the committee or agency better fulfill its mission.