

**MEETING MINUTES  
OF THE  
TENNESSEE COMMISSION ON AGING AND DISABILITY  
THE DOUBLETREE HOTEL  
315 4th Avenue North  
NASHVILLE, TENNESSEE 37219  
Ballroom E  
August 12, 2008**

**Members Present:**

Mr. John Arriola  
Ms. Alicia Cone for Wanda Willis  
Ms. Diane Cornell  
Mr. Bernard Danzig  
Mr. Shelburne Ferguson, Jr.  
Ms. Vickie Lawson  
Ms. Frankie McCord  
Ms. Barbara McIntyre  
Ms. Lynne O'Neal  
Mr. Judson Palmer  
Mr. Seth Stanger  
Ms. Mary Stockley  
Ms. Elizabeth Stovall  
Ms. Jackie Talley  
Ms. Bobbie Tyler  
The Honorable Senator Jim Tracy  
Ms. Carolyn Waugh  
Mr. Donald Woodlee  
Mr. James York

**Members Absent:**

The Honorable Rep. Lois DeBerry  
Mr. William Johnson  
Ms. Beauton Matthews  
Mr. Leonard Price  
Ms. Wanda Willis  
Vacancy-Northwest TN

**SPECIAL GUESTS AND SPEAKERS**

The Honorable Commissioner Deborah Taylor Tate, Federal Communications Commission  
Ms. Valerie Smith, J.D., Tennessee Bureau of Investigation  
Mr. Merritt Smith, former Chair and Commission Member

Chair Woodlee called the meeting to order at 9:00 A.M. The roll was called and attendance is listed above.

**APPROVAL OF THE MAY 2008 MINUTES**

Chair Woodlee asked if there were any corrections, deletions, or additions to the Minutes of the May 2008 meeting. **Mary Stockley moved approval of the minutes. Elizabeth Stovall seconded the motion. There were no objections or abstentions and the motion passed.**

## **EXECUTIVE DIRECTOR REPORT**

Mr. Hann asked TCAD Supervisors to introduce their staff hired during the quarter. For the Statewide Waiver Program, Michelle Drachler introduced Brenda Woods, Registered Nurse, who will be working as a Nursing Consultant.

For the Aging Programs, Perry Register introduced new hire, Lauren Brown, who will be working to replace Cynthia Minnick who transferred to the Statewide Waiver Program. Ms. Brown is an Accountant III.

For the Aging Programs, Ryan Ellis introduced new hire, Janis Gross, who transferred from another department of state government to the Commission. Ms. Gross will be working in the Information Systems as a database administrator and web designer. She will also be working with the ADRC Web site.

### Special Ceremony

The following people were called to the front of the room: Elizabeth Stovall, Don Woodlee, and Bobbie Tyler. Mr. Hann informed each of them that the Commission would like to show their appreciation for all the hard work and dedication that each of them had shown the Commission during their six-year appointment. Leonard Price was absent for this ceremony. Mr. Hann began the ceremony by reading a proclamation that was signed by Governor Bredesen proclaiming Mr. Woodlee as an Honorary Colonel. Senator Jim Tracy, Commission member, presented Mr. Woodlee with the framed certificate on behalf of Governor Bredesen. In addition, Mr. Hann presented Mr. Woodlee with a plaque and expressed his appreciation for the many years of service to the Commission and as Chair of the Commission. Bobbie Tyler and Elizabeth Stovall also received plaques in appreciation of their service with the Commission. The members were also given a framed photo of the Commission members which was taken at the May 2008 meeting. Photos were taken of the event. A break was held so that everyone could congratulate the honorees.

Mr. Hann reported that two Commission members had resigned, one due to health reasons and the other due to personal reasons, and a third person had retired from state government. These, along with the four upcoming expiring Commission members effective September 30, 2008, would be a total of 7 people leaving the Commission. Letters have been distributed to the Advisory Councils soliciting Nominations to fill the vacancies.

Mr. Hann stated that Jerry Hill's position had been filled by Commissioner Keys with the appointment of Ms. Carolyn Waugh to represent the Department of Veterans Affairs. Ms. Waugh was present and Mr. Hann introduced her to the Commission. A copy of her bio was included in Commission notebooks.

Mr. Hann stated that one new appointment made during the quarter by the Governor's Office. Mr. James York, Columbia, TN was appointed in July 2008 and will replace Dr. Chu on the Commission as a member of the disability community. Mr. York was present

and Mr. Hann introduced him to the Commission. A copy of his bio was included in Commission notebooks.

Mike Hann, Executive Director, presented a PowerPoint slideshow containing a summary of activities occurring during the last quarter since the May 2008 meeting.

Highlights included the following items:

- He stated there is currently a hiring freeze with the State of TN, but a waiver from the hiring freeze was requested so that TCAD could hire additional waiver staff positions that have been funded and approved by the Bureau of TennCare for the Statewide Waiver program.
- The State Health Insurance Assistance Program (SHIP) receiving \$400K.
- FCC Commissioner Deborah Taylor Tate will be speaking on Tuesday at the full meeting of the Commission. She will be speaking on the DTV Transition, or the transition from analog to digital tv. A converter box must be obtained to convert the signals. Every household can obtain two coupons good for \$40 toward the purchase of a converter box by calling an 800 number or completing and submitting a form on the Internet. The converter boxes will sell between \$40 and \$60. The consumer will pay the difference between the coupon and the retail price of the converter box.
- Ms. Valerie Smith, J.D., Tennessee Bureau of Investigation, will also be presenting a PowerPoint presentation on the agency's activities with elder abuse and other issues of interest to the Commission.
- A nutrition training program is planned for the near future.
- Emergency Preparedness Plans have been completed for four of the nine Area Agencies.
- Mike Hann introduced Governor Bredesen at the n4a (National Association of State Units on Aging) meeting held July 20-23, 2008, downtown Nashville.
- Two grants for Alzheimer's funding have been written and submitted.
- One grant for Nursing Home Diversion has been written and is being submitted in the near future.
- Horizon issues include the CMS biller which should be coming online in the near future. When the CMS biller is fully functional, the invoices will not be routed thru TCAD, but will be submitted directly to TennCare for payment. This will alleviate the need for billers in the temp positions at the TCAD.
- The Policy and Procedure manual will be getting an update by December 31, 2008. The Financial Management chapter, which has not been updated since 1996, will be updated along with two legal chapters and one chapter on TCAD Agency operations.
- The State Plan will be updated by July 1, 2009, and submitted to AoA for approval by October 1, 2009.
- A contract was put in place with the University of TN for a Statewide Needs Assessment. The cost of the contract turned out to be substantially lower than initially thought. The value of the contract was for \$75K. It has been over ten years since the last assessment was done.
- The TCAD Web site will be getting an update for links, errors, etc.
- Ryan Ellis has been appointed new project manager for the ADRC. He will utilize a contract with Jim McConnell as a consultant to the ADRC and the Single Point

of Entry (SPOE) system. Mr. Ellis will be attending an ADRC meeting in Boston, MA, in October.

- o Janet Lamb championed the World Elder Abuse Awareness Day on July 13, 2008. A celebration was held for the event on Friday at the legislative plaza. There were 12 booths, and two investigators spoke to the crowd, along with Judge Eisenstein. Ms. Lamb quoted a statement made by one of the investigators - that there is a 1 in 3 chance of elder abuse happening in the state of Tennessee. There are many scams on the elderly. Ms. Lamb will present a slide show to the full Commission showing pictures of the celebration.
- o The Waiver contracts have been signed by the Development Districts for FY2009. The new contracts are performance based and a new long term care system will be in place by July 1, 2009. TCAD removed the sanctions in the contracts with the Area Agencies, but the sanctions remain in place for the TCAD contract with the Bureau of TennCare.

Shelburne Ferguson stated he had not seen the waiver contracts. He added that a performance based contract usually deals with deliverables and outcomes. He stated he would like for the members of the Commission to get a copy of the contracts. Mr. Hann stated he would be glad to send out copies of the contracts to all members.

## **COMMITTEE REPORTS**

### Nominating Committee

Judson Palmer reported for the Nominating Committee. The Committee held a teleconference and narrowed the selection of candidates to the persons listed. He stated the Executive Committee would serve from August 2008-August 2010 or a period of two years. He stated the choices for new Executive Committee members for Commission Chair, ViceChair, and Representatives for each of the three grand divisions of the state: West, Middle and East TN. He made the motion that the Commission approve the choices as follows.

John Arriola, Chair  
Bernard Danzig, ViceChair  
Mary Stockley, Representative for West TN  
Judson Palmer, Representative for East TN  
Barbara McIntyre, Representative for Middle TN

Mr. Palmer asked if there were also any nominations from the floor. **Shelburne Ferguson seconded the motion that Mr. Palmer's recommendation be approved as a slate. All were in favor. There were no objections or abstentions, and the motion passed.**

### Long Term Care Committee

Elizabeth Stovall reported that a motion had been made at the Joint Meeting of the Long Term Care and Advocacy Committees to send a letter to the Governor expressing the Committees' appreciation for his dedication to long term care reform. She brought the

motion before the full Commission for their approval. Ms. Stovall stated that it is time to rejoice and good things are going on. She read the body of the letter that had been drafted by TCAD staff for the Chair's signature. **Diane Cormell seconded the motion. There were no objections or abstentions and the motion was passed. Chair Woodlee signed the letter and gave to the TCAD staff for mailing to the Governor.**

#### Audit Committee

Judson Palmer reported that the Audit Committee reviewed their Charter at the meeting held July 13, 2008. He said the Committee found stringent responsibilities under page 1, of the Audit Committee Act of 2005, under Section 4-35-104, Standing Committee – Members – Meetings. This document and the Audit Committee Charter states that the Commission shall elect members and officers to a three-year staggering term and the full Commission should approve the members. He stated that Carolyn Householder had emailed the Comptroller's office an inquiry about the Committee making any changes to its Charter. Ed Burr, Comptroller's Office, responded in an email that no changes should be made to the Audit Committee Charter without the approval of the Comptroller's Office. Mr. Burr also stated it would be acceptable for the Chair to appoint the Audit Committee Chair and the members of the Audit Committee subject to approval of the Commission. The email was included in members' notebooks. Mr. Burr stated that he believes the entire Commission rather than just the Chair should have a say in the composition of the Audit Committee. **Shelburne Ferguson moved that the new Chair should set up election for the first term. Judson Palmer seconded the motion. Mr. Palmer added that a tickler system should be set up for rotating members.**

Judson Palmer stated the Audit Committee did not meet on August 11<sup>th</sup> due to lack of a quorum. He stated he was reporting for the meeting of the Audit Committee held on July 16, 2008. He stated he was asking for approval for funds to be repaid to the Southeast Development District in the amount of \$13,621.76. A member of the Southeast Development District inappropriately spent some money. The Director of the Southeast Development District attended a meeting in May, 2008, with the Audit Committee and explained the misappropriation.

The TCAD fiscal officer, Perry Register, present at that meeting, stated he would take another look at the issue. Upon his travel to Chattanooga to the Southeast Development Office for a full review of the matter, Mr. Register came to the decision that the Southeast Development District not only did not owe any additional payments to TCAD on this issue, but that the payments that were made in FY08 should be returned to the Southeast Development District. **There were no objections or abstentions to this request.**

#### **SPEAKER AND SPECIAL GUEST, MS. VALERIE SMITH, J.D., TENNESSEE BUREAU OF INVESTIGATION**

Ms. Valerie Smith, J.D., TBI, presented a PowerPoint slideshow featuring items of interest to the Commission. She presented an overview of her organization and the many things that the TBI do that interfaces with the care of the elderly. She stated that TBI can't receive an allegation on a private matter, but the District Attorney's office can request an investigation by field agents for elder abuse and then an investigation can be

made. The elder abuse can also be reported to local law enforcement officials. Ms. Smith shared stories of people who had been arrested for various crimes against the elderly.

## **ELDER RIGHTS**

Janet Lamb, TCAD, Supervisor for Elder Rights, stated there was a celebration held on Friday, June 13<sup>th</sup>, in celebration of the World Elder Abuse Day designation, June 15, 2008. Ms. Lamb presented a PowerPoint presentation with photos of the event.

## **SPECIAL GUEST**

Chair Woodlee recognized a very special guest, Mr. Merritt Smith. Mr. Smith was a former member of the Commission and also served as a Chair.

## **DIGITAL TELEVISION TRANSITION, FEBRUARY 2009**

Special guest, The Honorable Commissioner Deborah Tate, Federal Communications Commission, was present and presented the Commission with an overview of the Digital TV Transition. She stated the transition will be final in February, 2009. Ms. Tate explained how the request for converter boxes works. She stated they are smaller than a VHS unit and are lightweight. She brought a converter box for audience viewing. She stated that anyone can go to [dtv.gov](http://dtv.gov) and request two \$40 vouchers redeemable toward the purchase of the converter boxes, but she stated there is a timeframe to redeem the coupons. The box retails between \$40 and \$60. This information has been made available in 18 languages, and is also available in Kurdish.

She stated the Federal Communications Commission seeks to reach every household in America with the news of the DTV transition. She stated the application form is simple to complete. When the coupon is received, simply take it to the retailer. A list of retailers in your zip code area will be provided with the coupon. The stores carrying the boxes are also mapped on the Web site. February 18, 2009 is the scheduled transition date. During the Question and Answer session, Ms. Tate stated that Congress has a bill pending that will allow expired coupons to be used, but the bill has not yet passed. Ms. Tate stated her office will be glad to send posters to workplaces etc., and they are trying to get the word out to as many people as possible. She briefed the Commission on the many places she had speaking engagements locally as well as nationwide. Ms. Tate is a resident of Nashville, TN.

## **PRESENTATION BY THE AREA AGENCIES**

### **First TN Area Agency on Aging and Disability**

Following the lunch break, Ms. Kathy Whitaker, Director of the First Tennessee Area Agency on Aging and Disability, presented a PowerPoint slideshow of the First Tennessee Area Agency. Ms. Whitaker provided area demographics for the First Tennessee region and gave an overview of the many programs and services provided thru the area agency. First Tennessee Area Agency is one of two locations for a pilot site for

the Aging and Disability Resource Center (ADRC) which provides one stop access. Ms. Whitaker stated the ADRC has focused on partnerships and computer technologies.

Ms. Whitaker gave an overview of a unique program ongoing within the Area Agency. There is a program called "Good Doctor Program". This is a partnership with local doctor's offices. The Area Agency provides a form that can be used by doctor's staff to screen a patient for referral to the Area Agency. This referral could be for the waiver, nutrition, or other services that the Area Agency provides. She stated they had had good success with this program.

Ms. Whitaker stated the Senior Expo Annual Conference is held each year in May. Over 200 people attend. Ms. Whitaker stated that an Annual evaluation survey of services was done and over 94% of surveys returned stated the customer was always satisfied with the services performed.

### **Greater Nashville Area Agency on Aging and Disability**

Ms. Ernestine Bowers, Director of the Greater Nashville Area Agency on Aging and Disability, presented a PowerPoint slideshow of the Nashville Area Agency. Ms. Bowers also provided area demographics for the Greater Nashville area and counties located within the planning and service area. She stated there are approximately 1.6 million people within the greater Nashville region. She stated that the Nashville Area Agency is one of two Area Agencies that provides Case Management as a service.

A unique partnership with MTA has provided training for people with Bus Riding 101. She stated it has been very successful. After people learn how and where to ride the buses, they are much more likely to ride the buses than previously. She said there is also a Senior Taxi Pilot Program that has been successful.

The Greater Nashville Area Agency also holds an annual Senior Boomer Expo at the State Fairgrounds.

The Greater Nashville Area Agency coordinates with the Council on Aging in providing information known as the Resource Directory. Approximately 5,000 of the directories are distributed annually.

Ms. Bowers showed a video produced by the staff at Greater Nashville Area Agency. The video is entitled "Options Program". Melanie Howell of the Options Program narrated the video. Some of the enrollees in the Options Program were interviewed and they shared their stories. It was an excellent presentation.

### **BUDGET UPDATE**

Perry Register summarized the budget sheets included in the meeting notebooks. He stated there was additional funding from the Bureau of TennCare for 2,300 additional waiver slots. He said the funds would be increased for slots on an as-needed basis. He stated with the budget expansion, the total for the budget has increased to \$49 million. He stated that quarterly reports are required to be sent to the Bureau of TennCare. There is a

requirement for every county to have at least two service providers in each of the 13 services. He added that there are still 35 or 40 counties of the 95 counties in Tennessee that are still deficit in one provider. He stated they could ask TennCare for a waiver from this requirement. He stated that there are some that may have the waiver for a long time, but as long as there is at least one provider, they will be able to participate in the waiver program.

#### **HCBS WAIVER UPDATE**

Phil Barnett, new Waiver Administrator, presented a PowerPoint presentation and reported the enrollment figures and other data updates on the Statewide Home and Community Based Waiver Services Program. He stated contracts with the Grantee Agencies were signed by July 2, 2008. The TCAD contract with TennCare was signed prior to that time. The contracts are performance-based. The contracts are now in the implementation phase. TennCare has stated the contract for the following year, FY 2010, depends on how well the Area Agencies perform in FY 2009.

#### **TN4A REPORT**

Aaron Bradley reported for the TN Association of Area Agencies on Aging and Disability (TN4A). He appreciated the Commission for allowing him to speak on behalf of the TN4A. He congratulated Colonel Woodlee for his leadership and expressed congratulations to the new Chair Arriola as well. He said the TN4A looks forward to continued leadership as the Commission on Aging and Disability and the Area Agencies on Aging and Disability work together to carry out the mission of the Older Americans Act.

Mr. Bradley reported that the n4a Conference held in Nashville, July 20-23, 2008, was a huge success. The conference set a record for attendance. Mr. Bradley expressed appreciation to Ernestine Bowers, Director of the Greater Nashville Area Agency for her hard work and dedication in making the event a success. She bore most of the load, especially since the meeting was held in her back yard. Mr. Bradley stated that this was the first time in the history of the n4a conferences that a sitting Governor has addressed the n4a Annual Conference. Mr. Bradley was very pleased that Governor Bredesen was able to attend the opening session and speak to the meeting attendees.

Mr. Bradley presented a PowerPoint slideshow and summarized some of the accomplishments and goals of the Area Agencies. He expressed appreciation to Mike Patterson, of the East TN Area Agency on Aging and Disability, for the terrific job he is doing with the CMS Biller. Hopefully, this system will be online in the very near future.

#### **ADJOURNMENT**

The meeting adjourned at 3:15 P.M. CDT. The next meeting of the Commission is scheduled for Tuesday, November 18, 2008, 9:00 A.M. at the Doubletree Hotel, Nashville, TN.

