

## CALIFORNIA DEPARTMENT OF AGING

### California Elder and Disability Justice Coordinating Council Meeting Transcript July 20, 2022

13:00:38 Welcome. Everybody just going to give it a couple more seconds for folks to join, and then we will get started

13:00:56 Okay, Great? Well, thanks to everybody who's joining the California Elder and Disability Justice coordinating Council meeting this afternoon.

13:01:05 Just a reminder that we continue to meet virtually close captioning and asl interpretation is available to enable captions.

13:01:13 Please select the live transcript, or Cc. icon on your zoom toolbar.

13:01:18 The meeting, slides, transcript and recording will be posted to the California Health and Human Services Committee.

13:01:25 Web Page. you can check that out and also go back there to view past recordings and materials.

13:01:32 We are saving time for public comment for attendees joining us by phone.

13:01:36 You can press Star 9 to be added to the queue, and we will unmute your line and those who are joining us via webinar on your tablets tablets or or smartphones or computers, you can use

13:01:49 that race hand icon on your toolbar. In addition, we do have.

13:01:53 Q. A. open, so feel free to drop down your comments.

13:01:57 Or questions there, and we will return to them during the public comment period

13:02:05 Great, and with that I think this is where I transition it over to Director Susan.

13:02:11 Embrace. Thank you, Maria, and welcome everyone. Welcome back to our Council members and to our State, local and Federal government partners who are joining us today, and a very special welcome to the public members and participants who are listening in thank you for

13:02:30 being here today. just to refresh all of our memory.

13:02:35 This is this is our third meeting of this coordinating council, and the goal is to increase coordination and develop recommendations to prevent and address the abuse, neglect, exploitation, and fraud perpetrated against older

13:02:55 adults and adults with disabilities and I want to thank our council members who have been working between meetings to help further that goal, so that we don't rely solely on these these gatherings, and we'll be hearing about

13:03:08 the work that's transpired between meetings later on the agenda.

13:03:13 I also want to give a very special welcome to a new member of this committee of this Council.

13:03:20 Rather Eric dowdy joins us from the Alzheimer's association.

13:03:24 He has replaced his colleague because he is new to this role, and we are thrilled to have Eric as a member of the coordinating council, but also as a co-chair and I want to thank

13:03:37 Eric for accepting from for volunte being volunteered, or except accepting

13:03:44 His request to to serve as co-chair and I think It's so important that we're linked between our State Government partners and stakeholders, and today i'm in Los Angeles for a very

13:03:59 momentous occasion. the Los Angeles County, has launched a new department of aging and disability, as of today, with the full backing of the Los Angeles County Board of Supervisors, and they have integrated and

13:04:16 consolidated and included the populations that we're talking about today.

13:04:24 Including adult protective services, and it's just really exciting to join Dr.

13:04:28 Laura tray host, who many of you may know from her work in Los Angeles County to sell

13:04:36 What we're trying to do here around coordination and you know that is one example of how things can be better coordinated by

13:04:43 This this new integrated model that Los Angeles has.

13:04:48 I was also joined this morning by Dr. Laura Mosquito, who many of you know, she was there to give remarks for La County.

13:04:56 You may or may not know that Dr. Mosquito, who is from Southern California.

13:05:02 She's a professor at Usc. she's the director of the National Center.

13:05:05 Elder abuse, and she reminded the audience that one and 10 older adults will suffer from abuse, neglect, or exploitation.

13:05:17 And she reminded us all that the statistic is one and 2 when it's a person with alzheimer's and dementia, and for that reason i'm especially grateful that eric is joining us

13:05:27 to bring his expertise, and to make sure that the population impacted by Alzheimer's dimension and family caregivers are well represented.

13:05:37 So I want to thank everyone again for being here for buckling up for the next 3 h.

13:05:44 We've we finally think we've hit the type of agenda that we strive to have where you're hearing less less report out from State government officials, and we are hearing more from the stakeholders who and

13:05:58 experts who are part of this group so we're always open to feedback.

13:06:05 If it doesn't work for you please let us know but i'm really pleased with today's agenda that we'll hear so many voices and perspectives while we're gathered together for the next 3

13:06:14 hours. So with that, Eric, I turn it over to you to make some introductory remarks, or the group great.

13:06:22 Well, thank you so much, and I am so happy to be volunteered for this position. director to Morris.

13:06:27 It's such a pleasure to work with you and your team and all the stakeholders I have worked in this field for 20 plus years, and it's really encouraging to see all the great momentum that's being built both at

13:06:38 the State, and with among stakeholders so very happy to see this committee or council move along, put together.

13:06:45 Our our priorities for the Master plan for aging priorities.

13:06:49 So looking forward to working with you on that. so just want to say thank you.

13:06:53 Happy to be here, happy to work with you all, and I will make an effort to reach out to you council members, to talk with you individually to the extent possible, and just learn about your priorities as well.

13:07:04 So. thank you. I appreciate the opportunity. Thanks, Eric. All right.

13:07:13 So just to refresh your if you want to say Hello, in the chat for as we scroll through the members of the Council welcome to all of you. we'll spend there.

13:07:25 We go. Thank you. Maria and team

13:07:43 Wonderful. And this is today's agenda I want to Thank Amanda Lawrence, who provided all of the advanced materials to all of us, which included the official agenda.

13:07:55 The but we will have a break at about 2 10 and we'll be hearing as I said from a number of you who who are here.

13:08:04 And we're going to start with the work let's see Alright, we'll go ahead into the next one.

13:08:12 Then, alright. so we're going to go ahead and start and I wanna thank Andrea and a kelase for the work they did between meetings for helping to cute things up for all of us when we first embarked

13:08:30 on this work, you know, when you all accepted this assignment.

13:08:35 A gap. analysis was one of our goals to really see where where we could be most impactful and where intervention is needed in our system.

13:08:44 So I wanna turn the agenda now over to Andrea and a kelase who will share 3 scenarios that they, through through the work that this work group has been doing.

13:08:55 They think we'll really highlight where the gaps are in our system.

13:08:59 So welcome to both of you, and the screen is all yours Now.

13:09:08 I thank you. we're hoping that a slide that we have put together would be that there.

13:09:14 Yeah, thank you very much. So I will give a a an overview of the world that Andrea and I have done and then i'll i'll let andrea provide some additional input she has it.

13:09:33 And we're gonna be speaking in a very high level view of the work that we are doing.

13:09:40 So we looked into 3 scenarios that you can see on your screen one of our suspected financial abuse.

13:09:48 Of an older adult in a community dwelling another one about a suspected physical abuse of a person with a disability in in a long term, care, facility on a self neglect.

13:10:01 I like to say that that there are a large number of reports that at least the Ips program receives that have self neglect.

13:10:14 And the second largest segment of reports or financial abuse.

13:10:20 So we wanted to look into these 3 scenarios, the one with long term care.

13:10:25 It really doesn't compass the long term karam with men and other programs and entities that are much more varied than

13:10:35 The other types of abuse, and what we did. we wanted to look at.

13:10:41 What are the actual processes that, except exist for someone reporting suspicion?

13:10:51 We have mandate reporters. we have family relatives.

13:10:55 Anybody who might be concerned about an individual, a vulnerable adult.

13:11:00 And where do they go? What happens next? who's supposed to be involved?

13:11:06 And how is that working? Is that system effective in terms of that process?

13:11:12 To get all the assistance that that individual may need so going through those different scenarios. we've been able to identify several gaps, and we're working on what are some of the possibilities that systemically could help minimize if

13:11:31 not really bring down to no chance things can go wrong which that should be what we all need to strive for

13:11:44 So we've been meeting we've been discussing going through these gaps, and we have a world of information that still in progress, and we hope come up with something much more meaningful in the near future.

13:11:59 Andrea Do you have anything that you'd like to add that's a great overview and again so grateful to be part of this this process, and grateful for everyone who's on the call with us

13:12:09 today. Our ultimate goal is, as we say, in the slide, essentially to come up with some policy recommendations to address these gaps.

13:12:19 So starting from a person centered perspective, starting from the experience of an individual person working their way through each one of these scenarios and identifying ways that collaboration is, or isn't happening, how can we improve services to those individuals to their

13:12:35 families. Ultimately, how can we prove outcome, Improve outcomes for older adults and people living with disabilities?

13:12:43 Across the State. we're really looking forward to also seeing how this work can dovetail with some of the proposed priorities.

13:12:50 For example, you know, adult protective services, legal services conservatorship, those 3 topics that We're going to talk more about today are really integral to the work that Achilles and I have already begun doing and also really looking forward to incorporating

13:13:03 the equity work and and paying special attention to how services are provided, how they are accessed, and making sure that there is as much equity as as possible in our system.

13:13:16 So we look forward to updating everyone on this as we continue to make progress and provide additional information, and even solicit input from some other stakeholders.

13:13:27 As we move forward towards providing some policy recommendations down the road.

13:13:31 Thank you.

13:13:35 Thank you both. and Sarah. would you want? Did you want to add something?

13:13:41 There. No, I think that was an excellent overview.

13:13:54 I think. you know this will be so helpful to illustrate, as you said, kind of at the very micro level where the gaps are in the system.

13:13:57 And, as you said, I think it really will dovetail in the policy priority areas.

13:13:58 So thank you so much. Achilles and andrea for heading this up, and we we will definitely be in touch, you know, in between these meetings, as we've done with opportunities to revisit this work when

13:14:12 Andrea and Achilles are finished up with their first draft.

13:14:16 We can. Whoever wants to join for the discussion from this committee can do so so more to come on that.

13:14:22 So. thank you. We especially. We especially appreciate the person centered. approach.

13:14:29 We have so many providers and practitioners here on as part of this Council.

13:14:35 Thank you for using the lens of the person the individual who's impacted.

13:14:45 So now we get to to move to the the meet of our agenda.

13:14:51 The heart of it. This is and we'll refresh the group, that before before we even commenced as a council, we conducted a survey, we took all of the recommendations that had been submitted as part of the

13:15:05 master plan for aging and other avenues, and we put out to the group a survey monkey to help prioritize the work of this Council, at least in our initial initial phase.

13:15:17 And we now have 2 council members, Vivian and Lisa, who are coming back to us.

13:15:23 Taking that information, and they've taken it further and we'll be presenting an overview.

13:15:32 So please go ahead, Vivian and Lisa. Thank you.

13:15:38 I will start, and then I can pass it on to Lisa with some just initial thoughts, and then we will get into even more meet with people who are gonna be presenting on the individual priorities. So first off.

13:15:51 I just wanna thank the members of the Council for allowing me to make some initial comments, and i'm really excited to see everyone here, and I feel really good about the work that we've done so far.

13:16:03 So the proposed areas for reform adult protective services legal services and conservatorship really touch the lives of older adults and adults living with disabilities throughout the State.

13:16:18 But they're also integral and upholding Many of the principles of elder and disability.

13:16:23 Justice. So, for example, legal services, organizations in California operate throughout the State and provide high quality, free legal representation that ensures both older adults and adults living with decisions.

13:16:38 Abilities are able to access public benefits. remain in safe and affordable housing and stay connected to other community resources.

13:16:47 But unfortunately due to funding restraints, the level of representation for many older adults is limited, and often legal services.

13:16:58 Organizations have to focus and prioritize their efforts on limited representation, and to serve a broader swath of people with the funding available. I'm.

13:17:10 In further those living in rural area space additional geographical barriers in accessing legal representation that is near them.

13:17:18 With adult protective services agencies throughout the States. They protect many Californiaans every day, provide trauma, informed and culturally competent approaches to abuse and neglect.

13:17:34 But Aps is also strapped. They are serving the ever-growing population of older adults who are experiencing homelessness.

13:17:41 Knowing that this community needs even more support than there are the other already vulnerable aps clients, and that their living situation makes them particularly vulnerable for abuse and neglect. and finally, with the conservatorship system while not

13:17:58 perfect Conservatorship is a tool that can be strategically used to protect the rights and autonomy of those with cognitive decline.

13:18:07 And really looking at this system to make sure that it properly balances the autonomy and protection of older adults can allow many to remain in their homes and communities aging on their terms.

13:18:21 And while each one of these issue areas covers a different aspect of the aging and disability system, they all interact with each other, and they all face similar challenges.

13:18:32 Issues with accessibility of their services, funding inconsistencies, and the issues around increasing equity and outreach.

13:18:41 So this Council has a really unique opportunity to not just reform but also uplift and support these existing programs and supporting the work that they're already doing in our communities i'm creating a lasting change and a culture where equity

13:18:57 is at the forefront of every decision. So, in prioritizing and uplifting the most marginalized of us, we will see a ripple effect that improves conditions for the entire community of older adults and adults

13:19:11 living with disabilities, and by centering our work and equity we can ensure that the goals of the Mpa and this Council Council are actually fulfilled.

13:19:23 Really centering equity ensures that the Council is not just seen as another bureaucratic creation.

13:19:28 But for what it really is. a group of incredibly dedicated individuals who believe that they can make a better way for older adults and adults living with disabilities in California.

13:19:40 Therefore, as we begin our dive into these issues, I hope we can really keep equity at the forefront of our minds, utilizing the equity principles that we've drafted our equity tool and also

13:19:52 constantly striving to create systems that represent all California, and I will pass it over to Lisa

13:20:06 Great thanks, Vivian, and thanks Susan and other members of the Council, and to all our stakeholders.

13:20:12 It's really exciting to see so many people on the call today.

13:20:16 So I really appreciate the opportunity to comment also on these 3 topics that I think really cut to the heart of elder justice.

13:20:26 The adult protective services is really kind of the center piece of our whole abuse. reporting system.

13:20:31 Legal aid is absolutely critical in protecting victims and also recovering assets and conservatorship is a powerful tool, often the only tool for protecting some of those vulnerable here in California.

13:20:44 So we're really delighted at cjc to be able to provide you with a couple of sections from our blueprint to help inform the discussions, and you should have received those as part of the materials for

13:20:58 Today the blueprint is the third in a series of blueprints that was that's are supported by the Artstone foundation, and it draws from really draws from the collected wisdom of a

13:21:11 lot of experts and stakeholders that we've collected over the years.

13:21:20 The Our most recent version, I think, reflects some important share in our thinking about elder justice that I wanted to mention today.

13:21:29 So one it calls for balancing cumulative approaches which we really relied on in the past with restorative ones.

13:21:37 And what I mean by that is services to help rebuild relationships.

13:21:43 Address trauma, and also recover monetary losses and other kinds of losses.

13:21:48 We also are renewing our commitment to equity, which is very much in line with the goals and priorities of this group.

13:21:57 As Vivian has talked to eloquently about.

13:22:01 And the reality is is that here in California those who rely on our public systems really don't get the protection that they need, and that we think that they deserve that's particularly true of black indigenous elders of color

13:22:14 the non affluent and those in rural communities.

13:22:20 And we believe that equity really requires trying to break down those barriers to access our overly complicated mandatory recording system, which I talked about.

13:22:29 At length, at the last meeting practices that strain families instead of strengthening them and cross reporting all cases to law enforcement, which can also be a detriment in some communities.

13:22:41 So when you really need a no wrongdoor approach to our recording system, and because, as we've already heard, aps lax funding a lot of our programs prioritize the most egregious cases which prevents people from

13:22:56 getting help during those early stages when problems are brewing with then abuse could be prevented, and that's also true legal aid.

13:23:05 We have a huge gap in legal services, particularly to victims of financial abuse, particularly in terms of recovering losses, and that includes people who've been exploited by family members by crooked professionals by predatory businesses

13:23:20 which include banks, contractors, nursing homes lenders, many others.

13:23:27 We're hearing about use scams and new kinds of exploitation.

13:23:29 It seems like, almost on a weekly basis, and we believe that to really have an impact we have to start partnering more with the private bar.

13:23:39 We know that there are some barriers to doing that that we've talked about in the blueprint, and also exploring innovations like restorative justice and expanding the use of mediation.



13:23:51 I think one of the greatest threats to elder justice, which has already been talked about is cognitive decline, and that's really why state planning and advanced directives are so important and as we point out in our

13:24:03 blueprint a state planning isn't just for people who are rich, who sometimes think of it's really critical for preserving people's wealth, not just individually, but across families and across generations.

13:24:17 We also, in the blueprint talk a lot about conservatorship, which would all else fails, can be a really powerful tool, and the only one for protecting people who have cognitive losses.

13:24:29 But we know that the system is really rife with problems.

13:24:34 You know efforts that reform have been erratic mired in controversy, and and often ineffective.

13:24:40 I think that's been true for as long as i've been in this field, which is almost forever

13:24:48 What typically happens is that there'll be an expose or a high profile case or a government report that leads to calls for reform.

13:24:58 But what happens is that conservatorship is an extraordinarily complicated process.

13:25:04 We have different systems for people, with dementia and people, with mental illnesses, for controlling assets and controlling personal people's personal lives, and we have limited conservatorship for some people, but not others.

13:25:20 And so a lot of the reforms that are are so opposed, and they're coming out fast and furiously often affect one group, one particular problem, and have unintended consequences for others.

13:25:33 So we really need to take a comprehensive approach to conservatorship.

13:25:38 Most of the reforms that we need, or that are being proposed, place enormous burdens on our public guardians who serve really the lions share of people that need conservatorship. In this State.

13:25:49 We know that they lack funding. We also know that they lack state leadership and guidance, which is why we're supporting a really strong investment in that program and a State home court.

13:26:03 We also believe that it's time to educate the public and the professionals about conservatorship, and really do a deep dive.

13:26:09 There's a lot of misunderstanding and misperceptions about the system.

13:26:14 We've suggested some ways to do that so we're gonna be.

13:26:17 We do releasing additional chapters of the blueprint in the coming months.

13:26:21 So we invite the Council and others to to use it.

13:26:25 These on screen. You'll see our earlier blueprints. we haven't we?

13:26:31 Don't have a cover yet for our new one but we do think of it as a working document, and we welcome input for it.

13:26:38 I just wanna close by acknowledging that you know we're at a time where we're really facing enormous threats to justice for people of all ages and these times really call for for leadership and I

13:26:52 think that this Council provides an unprecedented opportunity to leads a way in protecting the rights of elders and people with disabilities.

13:27:02 Here in California and beyond. and so we're really ready to work and get started. and I'm looking forward to working with the rest of you.

13:27:11 So. Thank you.

13:27:18 Thank you, Lisa and Vivian very much and I could not agree more.

13:27:24 That we're at a we're in a unique position to to lead with with all of you and you know there there are.

13:27:33 There's evidence in the Budget that just passed July first about strong support for this work, so I'm now going to turn it over to Sarah Steinhausen. who's going to set us up for our

13:27:45 priorities. discussion. Right? Thank you so much, Susan, and a big thank you.

13:27:53 To Lisa into Vivian for setting the context.

13:27:55 For why, these priorities have been selected by all of you, and how important these issues are, and how they, as we said, intersect with the Gap analysis, work as well.

13:28:05 So we really appreciate your leadership and helping us get to this point where we can focus on these these key issues.

13:28:14 At this point. I'm really pleased for each of these priority areas.

13:28:17 We've lined up members of the committee and and and members of of related efforts who are going to be providing an overview of the issue kind of very high level as well as the main challenges to the

13:28:35 system as well as some high level system, change concepts.

13:28:40 So this just to clarify, we are not having an entire discussion in 30 min, where we're able to fix and solve all the problems with the Aps system.

13:28:49 This is the beginning of the work on these issues for this Council. so we're really excited to have with us Lisa Coleman, of the California Commission Commission on aging and Valerie Smith, of the Adult Protective services

13:29:03 program in Santa Clara County to start us off in our deep dive onto Aps issues, and they're going to speak for about 10 to 15 min, and then we really want to hear from you in the second half of

13:29:16 the discussion. and again, this will help set the the discussion for the work in the year ahead.

13:29:24 For this this group, so I will turn it over now to Lisa and Valerie.

13:29:28 Welcome!

13:29:36 Hi everyone this is Valerie smith I think i'm going first, and i'm hoping there's a powerpoint.

13:29:41 There we go, I see. leaves us nodding. Yes, hi everyone. Thank you so much for inviting me to give this brief presentation, and I and I really want to emphasize brief Overview and insight to adult protected services and I just have

13:29:57 a short little disclaimer, and that is that I am a program manager in Santa Clara County. so I'm not representing the State, and I'm.

13:30:05 Also not a researcher. So what i'm telling you is based on either State statistics or county statistics that we are required to report, and and a lot of just anecdotal information over the years that I've

13:30:20 been aware of, and participating in statewide committees so brief overview of adult protective services.

13:30:30 A State mandated program designed to help elders and dependent adults who are victims of abuse, neglect, or financial exploitation.

13:30:37 The highlights of aps is that we are supposed to receive reports of abuse and investigate cases, and then through that process, link victims to services.

13:30:52 With the overarching goal goal to prevent and remedy, abuse, neglect and financial exploitation.

13:30:59 And just a sidebar from the administration and community living that has recently been really supportive of Aps nationally elder, independent adult abuse, of course, neglect and financial exploitation is considered a critical public health issue abuse, survivors report

13:31:17 higher rates of depression. They often withdraw from social interactions, and may blame themselves, which results in shame and silence.

13:31:26 And this also can affect existing health conditions that they may be experiencing as well.

13:31:32 So so this looks like a lot but i'm i'm not going to read every word aps serves 2 populations just quickly.

13:31:40 Elders are defined as residents of California, age 16.

13:31:44 Over this just changed. In January of this year it used to be 65, and over.

13:31:51 Independent adults are residents of California between the ages of 18 and 59, who have physical or mental limitations that restrict their ability to carry out activities, their daily living and and protect or advocate for their safety and their

13:32:05 rights, and that's just a brief snapshot of the there's there's more detail with dependent adults, but it has nothing to do with where or how they reside.

13:32:15 So a lot of people see that we're dependent and they think oh, well, they're not independent, and that's not.

13:32:22 That's not actually part of what was intended here so in a nutshell.

13:32:27 Aps. Interventions may include consultation so There are mandated reporters who need to make reports to Aps.

13:32:35 But there's also community members who can always call and make reports and when they call aps it's not necessarily. they have to know right at that moment that they're making a report they can call for consultation information and

13:32:47 referral and guidance. so that so? that is one intervention ats provides.

13:32:53 When a case is accepted for investigation and assigned to an Aps worker, the focus is on the assessment of the elder independent adult. their well-being, which includes things like they're living

13:33:05 environment support system strengths. And also any you know, health or medical needs.

13:33:13 Allegations are examined, and the level of risk is best, and a plan is developed.

13:33:19 In ideal circumstances with the clients participation.

13:33:24 We also may be arranging for emergency services, shelter and medical or health care.

13:33:28 So And then collaboration is kind of the third area where either in the investigation or also at the intake level. Yes, social workers are case workers.

13:33:41 Many be doing referrals to community services benefits, and may coordinate with family friends.

13:33:45 Other agencies, and so forth, to meet the needs of the elder or dependent adult.

13:33:52 The principles of Aps just in a nutshell.

13:33:55 They are person-centered, so the the concerns of the elder are dependent and adult are the starting point of any intervention.

13:34:02 So part of our assessment includes assessing what the elder dependent adult understands, or what they want to talk to us about regarding the abuse, allegation, and then also what services?

13:34:15 And needs that they have; that they think would be a be helpful to them.

13:34:19 They have the right to refuse or accept services at any time.

13:34:24 So even if A Aps worker starts working with someone, they can agree to services.

13:34:31 And then and and midway they can also change their mind and decide they don't want to have services anymore.

13:34:36 The interventions, as I mentioned, are directed towards safeguarding the well-being of Elders independent adults.

13:34:43 Aps was not intended to be a long term ongoing case.

13:34:47 Management activity. Most of our cases are open between 0 and and 90 days.

13:34:53 There are some exceptions to that And basically, again, the focus is on preventing and remedy, abuse and neglect.

13:35:04 And we are looking at promoting self-sufficient as well.

13:35:10 So here is because i'm from santa clara County here's a little snapshot to give you an idea of what Aps is facing since 2016 just in santa clara county we've

13:35:23 had a 41% increase in the number, of abuse reports to Aps, and we've had a 20% increase in the cases for investigation over that period of time, and this is consistent with some of the projected population

13:35:37 increases in 2,016. Santa Claire County did a study and did some projections.

13:35:45 And the the outcome i'm sorry there was a chart that popped up.

13:35:51 So a 40 point, 5% change in within the next decade from 12 point, 9% of the population in 2,016 to 17.4%.

13:35:59 And again, that's just in santa claire county, and it was done for people age 65, and over, so I don't have those numbers for 60, because This was done a few years ago.

13:36:10 Also, oops. Just one little thing greater increases is is expected.

13:36:14 If you see the little table below I know it's very small, but a greater increase is expected among elders.

13:36:20 80 years and older, between 2,026 and 2,036.

13:36:23 So just kind of giving you some some basics. Okay.

13:36:29 Next slide. in a nutshell the policy basically is This is there's a lot of welfare and institution codes.

13:36:38 And I did put the link. That is a hyperlink, so people can go to it.

13:36:43 But each county is required to establish an in Aps program that provides in-person response 24 h a day, 7 days a week and also to receive reports of abuse, but also to go out on cases as well and again for

13:36:57 providing immediate intake or intervention, or both. So

13:37:02 This is a long slide i'm also not going to read it.

13:37:06 I think many of you may already know that California law does require certain professionals and persons.

13:37:13 And categorizes them as mandated reporters.

13:37:16 This is just a brief caveat when they talk about care.

13:37:19 Custodians. Care Custodians also mean administrators or employees of most public.

13:37:25 Our private facilities or agencies. Sometimes people think care custodian, it only means, if you're in a caredgiving role.

13:37:31 So. so I just wanted to highlight that on this slide next slide.

13:37:36 Thank you. So types of abuse at aps investigates there's technically 8 listed here, but we always count 9 because we count sexual abuse oftentimes separately.

13:37:49 What I wanted to say about this is what achilles spoke to just a few minutes ago, which is that self neglect is the highest rate of abuse that's reported to aps and financial abuse is the second

13:38:02 and oftentimes they're they're tied county to County

13:38:07 So these are 2 areas where that differ greatly, in my opinion, from a physical abuse, intervention, or an a neglected or vent, than, or some of the other types of interventions.

13:38:18 So, and those more information about those can be found on the link I provided there.

13:38:25 It recently, as everybody hopefully knows, there's been statewide, expansion for Aps. we haven't had an expansion since 1,999.

13:38:37 When Senate Bill 2199 went into effect. so Ab.

13:38:39 1, 35, which went into effect January first.

13:38:42 Changed the definition of an elder from 65 to 60, and also change the definition of dependent adult.

13:38:49 There are some other changes I didn't capture them here, but for for sake of this discussion.

13:38:56 This is again high level. Just just wanted to make note of that.

13:39:05 And then also Aps also had an expansion with the home safe program which it originally began as a pilot.

13:39:10 Grant in, and it began in 2,018. It ended in 2,021, and then it became a permanent program in the most recent. Where did I write it?

13:39:22 Yeah. Oh, yeah. The budget active 2021 Sorry.

13:39:28 Appropriated more money to all counties. when initially, this had just been pilot for roughly 25 counties.

13:39:35 So 2 big areas where we're expanding services and trying to partner with community agencies, and so forth.

13:39:44 Next slide. So this is actually my last slide and it's the the least detail on it.

13:39:51 But here, in my professional opinion, are some areas where there's opportunities to transform caregiving caregiving has to be one of the number.

13:40:00 One issues that we see in Aps on a regular basis, and lhss in home supportive services is a great program.

13:40:09 But it is only one program, and not everybody qualifies for it.

13:40:14 You have to be metacal eligible and a lot of people can still be medical eligible. However, they'd have a high share of cost, which then could make items as prohibitive for some people so what I would

13:40:30 like to see, because in Aps, as I mentioned, self neglect is one of the highest types of abuse.

13:40:36 Reported. a lot of that has to do with people aging in place in their own homes, and not being aware of what services to access, or being afraid to access services or them being cost prohibitive.

13:40:48 So so looking at caregiving incentives, not just someone gets free room and board.

13:40:56 If they take care of an elder or dependent adult.

13:40:59 Currently in santa clare college we have someone who we've seen on numerous occasions because they can't sustain a caregiver, and we'll get a call that's an er call when

13:41:10 the person needs their adult type or changed and so these are the kinds of things that we're seeing every day.

13:41:18 That's just one little snapshot but caregiving often is leading us to having to do emergency response type of aps response.

13:41:27 When when that's not really what it was intended for I mean what aps was intended for enhanced partnerships, i'm i'm a big believer in mdts and cross coordination but a lot of

13:41:41 times Aps is told to do that and as not then have been any kind of organization or platform or assistance with that.

13:41:50 And recently we've gotten a lot of funding for home safe, and that's great, because it'll help us enhance the partnership with the housing and homelessness resources.

13:42:02 So such that's one area that that we could grow but there's other partnerships that I think need to happen.

13:42:08 We need better partnerships with the regional center.

13:42:10 In fact, the regional center models are something that could be something that Aps could be designed as more of a system of care rather than just 1 one aspect, as as we all know, we're a lot of our services are siloed and

13:42:29 we we touch the same clients, and same issues. but maybe don't always work in good coordination together.

13:42:36 So that's what I mean by enhanced partnerships, and finally, health and mental health liaison.

13:42:42 So this is an ongoing issue as well. We in Santa Clara County are fortunate.

13:42:48 We have an interagency agreement with our behavioral Health Department, where we have one mental health clinician, whose state with Aps and she is able to go out on cases with us. and either access the mobile the

13:43:04 behavioral health, mobile crisis team she's also able to do other kinds of interventions.

13:43:10 Mental health interventions that might be needed that aps workers aren't able to do or access well.

13:43:17 But I also think, you know, years ago there was an initiative.

13:43:22 The coordinated care initiative, which was part of lhsf, and then also the healthcare agencies.

13:43:30 And I think this was a model that I I wished had continued, because I think it had a lot of strength in its beginning stages.

13:43:39 However, it was more focused on Metacal Medicare, so medieval clients.

13:43:46 So again, lots of areas for growth, and transformation.

13:43:53 But also remembering that aps is still still trying to meet the need of what we're tasked to do initially, which is just receiving the reports and going out on the cases.

13:44:05 So, anyway. that's that's my spiel So I will hand it over to Lisa thank you, Valerie.

13:44:17 Okay, I'm gonna i'm gonna jump in sarah because I wanna I wanna give as much time for a conversation. but I want to thank Valerie for that that overview and and a lot of what i'm gonna

13:44:26 say is in some way a duplication of the speakers You've been hearing earlier today, which is both good and bad.

13:44:33 It's bad if you find it boring but it's good. If what you're looking for is a confirmation that a whole bunch of us are seeing the same the same kinds of problems, and that to me is encouraging because

13:44:44 if if all of us, from different perspectives are coming across the same sorts of problems, well, that feels like something we can fix.

13:44:55 Nicole, How has an expression? Everybody needs to be a little uncomfortable when we're looking at how we improve things?

13:45:01 How we change things everybody's invested in something in some way or another, and if we're going to change it means everybody's got to be a little uncomfortable, So this slide I imagine many of you have seen it I

13:45:14 I'm not sure who the original author was probably was Sarah. I keep coming back to this slide because to me this demonstrates just how many touches are involved when we're talking about mandated reporting licensing

13:45:32 complaint investigations, lots of different State agencies that oh, that represent provider services, consumer groups, and the licensing agencies.

13:45:45 So when we think about the unintended consequences of a change over here, and how it's going to ripple over to everyone else.

13:45:54 That's what this slide is about. so next slide so the premise to me of this.



13:46:05 This this coordinating council was looking at what's What isn't working well? and then what can we get better?

13:46:12 What What can we do? and I just wanna start off.

13:46:17 Maybe everybody already knows this, but I don't like having conversations when we focus on the problem without just being very gentle and saying there's a lot of people that are working really really hard every day to try and reduce harm trying to

13:46:38 to find a way to help an older adult or a disabled adult.

13:46:42 And so when we're looking at these when we're criticizing these programs, I just want to be very clear that I'm not criticizing the individuals that are doing the work, I don't think anybody is trying to to

13:46:51 place. blame it's just acknowledging that where we are today may have been intentional.

13:47:03 But then again, it may have just been an evolving process, and we can evolve into a different, better program.

13:47:10 So I was looking at what are what do I consider some of the biggest problems we've already heard about it before.

13:47:16 The no wrong door. we've got lots of wrong doors.

13:47:22 We, we. We have a very complicated system for the providers as well as for the consumers.

13:47:27 Thinking back to that slide before, of all the different places a person could enter into the system.

13:47:35 And how are we going to help lessen that barrier?

13:47:39 Identify ways in which the providers can get out of those silos that Valerie has already identified.

13:47:49 And so to me the focusing on the goal is improving of coordination of services.

13:47:56 Then consistency. we've talked about that already that program. services. vary by region, and I don't think they vary by region just because these are the people that live in this area, And this is how we like to do it I think

13:48:10 programs services vary by region more based on resources, that if you are in a an area, a county that has more funding available for the Aps program, then there may be more access that your Aps represented Aps representatives can provide

13:48:31 if you are in an area that has a lack of community services.

13:48:39 I mean, for example, going back to some my route with the Ombudsman program.

13:48:46 If you're speaking with the resident in a in a skilled nursing facility, and you ask the question, would you like to leave the facility?

13:48:53 Would you like to go back in? live independently? And they say yes.

13:48:59 But there are no community services that support that activity. Then isn't it almost cruel to be asking the question.

13:49:08 So I think that's something we just have to be cognizant of that.

13:49:14 We need to do a better job of providing services with with a lens of equity across the State.

13:49:21 It is hard to imagine that just because an older adult lives in one Zip code, they're not afforded all of the same benefits of another older adult who lives in a neighboring zip, code another issue inconsistency for the

13:49:38 criteria of investigating cases that yes, we have a new definition of of 60 and above.

13:49:48 And yet, while the law is very clear, it is 60 and above.

13:49:52 I think if you were to actually do a practical application of that law, different regions would be defining what is a vulnerable adult a little differently person who might be 75 might not be considered vulnerable but

13:50:09 a person who's 60 in homeless or having you know many health conditions might be considered more vulnerable.

13:50:19 So it is just an inconsistency in how We identify what services we're gonna do. the the focusing on the goal up to date training opportunities, and i'm excited that the the 4.6 million dollars was included in

13:50:37 the budget to continue with training for aps and I i'm gonna say something.

13:50:48 When we look at cpus and the amount of money that is available for training and supporting our child protective services that there's there's quite a discrepancy and and I don't want to pit one against

13:51:02 the other. I absolutely refuse to go into that narrative that says, Well, you know, children need more money.

13:51:09 Adults need more money. we're the fifth largest economy in the world.

13:51:13 We need to find a way to support all of our vulnerable adults, whether those are what all of our vulnerable individuals, whether that is children or older adults that falls into There was 2 different comments carla made a

13:51:29 comment. and someone else presented a question. talking about the the complex nature of providing advocacy services to people that have contact impairment. Oh, a person has the right to refuse services, and it's a very difficult thing when we are trying

13:51:49 to determine. does the person have the capacity to understand.

13:51:57 But the activity they're, engaging in maybe harmful or risky Does the person have the capacity to understand that there there may be a different way to to get to live, to you, know, to not live at home, to live in a community, environment.

13:52:15 or in license care. There it is a it is.

13:52:22 It. It is like a king solomon's thing of trying to to get all that information, and so we absolutely need to have as much training and support for our providers.

13:52:33 Yeah, you know. Then another focusing on the goal is routinely reviewing, identifying the emerging merging issues.

13:52:46 What What do we see coming so that we can get into a position to to meet?

13:52:52 And you know better advocate in advance so often our organizations.

13:52:58 Are we're just stumbling to catch up so what can we do to get ahead of some of these problems workforce?

13:53:09 That is absolutely a huge issue and opportunity for us. We are experiencing very high turnover, very high burnout.

13:53:17 We have very large case loads. We are asking individuals to do more, and we're not providing them necessarily with the tools to support them.

13:53:28 And an encouraging opportunity is if we were to you know, entice more people into the geriatric field, perhaps with student own forgiveness, perhaps with more grant opportunities.

13:53:45 We. we see many people going into social work for children and families, and that may be because they just like that environment.

13:53:58 But it could also be, because that's where they're getting reimbursement for very large student loans until something that we can work on next slide, please, so you know we're already at 1 55 about and we

13:54:14 have 2. So this has been amazing, but maybe if you could just summarize, and then we'll open absolutely.

13:54:28 What? That That really, my overarching, what we can do.

13:54:32 We need to educate the public. The public is looking to these entities to be the provider of services, and they're not.

13:54:39 We're not funded for that. and so I would say that That's something we need to do.

13:54:45 And then the final slide would be about research. we have to just start doing a deep dive.

13:54:49 What's the best practice? What can we replicate and you know whether that's inside the State.

13:54:55 I'm sorry excited about valerie's mental health clinician love to see that replicated across the State.

13:55:02 But then, again, there are also other states that do some really innovative work too fabulous.

13:55:07 This has been such a wonderful high level overview, not only of the Aps program, but some of the emerging issues and areas of opportunity.

13:55:15 I particularly love how you all framed Valerie and Lisa

13:55:20 Some of the opportunities, whether it's looking at how to move towards a more coordinated system, and and better integrating with other services across the continuum, looking at consistency and training and services, and an investigation which is also an

13:55:36 equity issue. looking at building the workforce of social workers in Aps program as well as enhancing research and data don't development.

13:55:47 Also just piggybacking on that, with some of what Valerie high highlighted, And they need to think through caregiving and sentence instead of enhanced partnerships. you know, looking at the regional center

13:55:59 center model, looking at examples like the home safe program. how that's developed amazing opportunities, .

13:56:10 And then finally, looking also at you know how we can ensure Aps partners with health and mental health services.

13:56:16 So we wanna turn it now to our committee members to see let's just go for 5 min.

13:56:22 We have time for 2 questions or comments would love to hear from you, Howard.

13:56:28 I see that your hand is raised

13:56:34 Got it, and I just wanted to say that one big problem good all the agencies are having trouble getting sure cool, and that, you know, we I think well fact noizing the caregiving so much that would help a great

13:56:57 deal and I article 2 i've been in need nothing capable of a couple of weeks.

13:57:04 Oh, nothing. but I haven't been able to get it because I say that no one is available, and you know they don't have people part, so we need to be working on getting more for people into the car.

13:57:22 Getting feel we need to provide and send it for them. We need to professionalize for giving field

13:57:29 Quite frankly. We need to item more, too. You walk with people.

13:57:34 You have to pay good money absolutely howard I think that's ties into a lot of the work that the State is doing right now to try and both build the workforce pipeline and improve retention and training

13:57:48 and incentives for the range of our workforce needed across the continuum.

13:57:53 So you raise very important points. Thank you that so much for that.

13:57:59 I see, too. Are there any other Committee members? that would like to make a comment or add on to some of what the considerations are that were raised by Valerie and Lisa?

13:58:12 We've had a number of of questions and comments in the the chat and question and answer

13:58:20 I also want to note that Clare Ramsey, from the chief Deputy Director at Department of Social Services, who says that Cdss.

13:58:28 Is looking forward to continuing the work together to strengthen the program throughout the State.

13:58:33 Thank you so much, Claire, for being here. Okay, I see it hand from Ellen, and then Vivia and Vivian and Gloria.

13:58:40 We will take this to 205. So, Ellen, I will turn it over to you.

13:58:45 Thank you. Okay, Well, thank you so much. I really appreciate being here today and hearing a lot about Aps.

13:58:51 And I think you know i'm just a huge supporter of adult protective services working in the in this area for quite a few years.

13:59:00 One of the things that we always struggled with was the lack of case, management, or care management.

13:59:05 After the Aps investigation concludes and i'm just wondering if there is any move of foot to look at the need to fund the ongoing service.

13:59:16 I think a programs like Mssp, or even Cal aim that work with the medical individual.

13:59:21 But for the middle income, or others that don't have access to those resources, and I think many people do need ongoing service.

13:59:29 So I just will have that comment tonight. thank you so much Alan that's very much appreciated.

13:59:40 And Vivian, I think your hand up was up next and then we'll move to Gloria.

13:59:46 Yes, thank you. I just I mean this brief comment in the chat. but I thought that the presentation really brought up the issue of scope, and what the actual scope of aps is, we know what the scope is in the statute

13:59:58 But does that actually match the work that Aps workers are doing on the ground?

14:00:05 And does that mean that we need to expand? the scope limit the scope, expand, you know, funding and resources so that they can actually fully do all the work that they are being brought And so I think that there's Maybe some deeper.

14:00:20 Discussions to think about what the role of Aps is, and then other organizations.

14:00:25 Other agencies in the State that can take on other work and collaborate with Aps to better use the resources. We already have wonderful point.

14:00:36 Vivian and i'm flogging that as a discussion point for the future, for the work of this group, I'm.

14:00:42 Looking at scope and you know what? what, what are within the resources of the program right now versus the scope changes.

14:00:51 Okay, Gloria

14:01:00 Hi, everybody! i'm not sure exactly which thing I want to talk about quickly.

14:01:08 But as far as you're seeing that you need more caregivers that want to care give and that's I've been hearing from a lot of people friends that they have a couple of them have on on to different

14:01:29 parts of their job like a different department, because the change now is they have to get their cell phone, and as soon as they arrive at the property that they're supposed to care give they have to Now, Punch in or exactly tell the time

14:01:48 that they arrive the time that they leave they're feeling like dominated.

14:01:56 They feel like they're like that's not fair that they have a responsibility, and they care for the people.

14:02:03 But I guess whoever is on top of it the management the county it's like

14:02:12 They're not otherwise they don't feel supported. So I just want you to know that that's a lot of them have quit doing the respite or in home supportive services because they feel that way and

14:02:26 go ahead, and also on the on the adoptive services.

14:02:32 So on target Whoever I forgot the name of the girl that spoke about it.

14:02:38 But there has been a lot of contractors that take have taken advantage of several people that they have on.

14:02:45 I know the myself, I told them. I spoke with them that the contractor tells him that they're gonna put a lean on the house if they don't pay us for an amount of money they and and the person has actually

14:02:59 get given them company and that's. not even true if they have like insurance in their home, and they have to use it their insurance company to get it fixed.

14:03:10 They, they make the claim higher that it really is. in order to get more funding from the insurance company.

14:03:17 I mean. I I know everybody probably already knows this but I all these things came to my mind when we were discussing all this like.

14:03:25 That's all that I want to say okay, thank you so much, Gloria.

14:03:29 And I think that your first comment was referring to the electronic visit.

14:03:33 Very verification program at a Dsl which is really not in the scope of what we're talking about today.

14:03:39 But we, of course, have colleagues from Dss.

14:03:41 On the line that you can reach out to or discuss with afterwards, and appreciate also the other comments that that you made as well.

14:03:49 So so at this point. what I think we can do there's a number of comments in the questions area from our members of the public.

14:03:58 We are technically in to the time for public comment. So I wanted to give the opportunity for members of the public to weigh in, and we've again heard about a lot of important emerging issues and opportunities in the aps program which we will continue

14:04:13 to discuss in the work of this committee. This is just the kind of conference contact setting discussion. Maria, did you want to give any notes about a public comment?

14:04:25 Yeah, Absolutely thanks, Sarah. So again, I see that we have one hand, raised from still. so we'll open your line in a minute if others want to raise their hand.

14:04:33 If you're joining us by phone that's star 9, and you can always use the raise hand feature. and I do on a flag that it looks like committee members are responding to questions in the Q and a as

14:04:43 they come in as they're answered you'll see them pop up, and you'll be able to read through those, I think, for the sake of time we'll open sales line and see if anybody else wants to make a

14:04:54 verbal comment, and just encourage folks to look at the Q. A.

14:04:58 For other comments and questions that have been shared still. Go ahead. Hi, yeah.

14:05:03 My name is Sylvosler. I am formerly the senior Elder Law attorney at open door legal in San Francisco, and now I run my own practice.

14:05:10 The boss their law firm it in Oakland, where I litigate financial abuse cases.

14:05:15 One of the problems that i'm seeing time and time again is that when I take my financial abuse cases across the State, I have seniors who have viable civil financial abuse cases where years ago, they may have been been

14:05:31 referred to, or head Aps investigate their case. Maybe there was a referral to the police for prosecution.

14:05:39 But i've seen this issue a number of times we're seniors are not getting referrals to the civil attorneys that they need to help them recover the property that's been still in from them I have one

14:05:50 client, for example, with 1 point, 2 million dollars stolen from him in 2,019, and he was referred to the police, and he languished in poverty for 2 years after Aps had seen him and the police had seen

14:06:06 him and looked into his case because nobody ever gave him the information that he needed to find a civil attorney.

14:06:12 And so I think it's really important when financial abuse cases come in that Aps sort of piggybacking on that partnerships question as aps making the referrals to whether it's legal services

14:06:26 or State bar lawyer referral networks where we can get these cases in my hands of the attorneys who are qualified to help these seniors recover the assets that have been stolen from them and because the police

14:06:40 can't recover. these assets for people that's really the the per view of a private simple attorney or a legal services attorney. And so that's the point I wanted to make great so thank you for giving that example, I love that because that's kind of what I see this kind of issue emerging

14:06:58 with gap analysis that Andrea and Achilles are going to be leading.

14:07:02 It shows kind of where the breakdown in the system is at the local level.

14:07:07 So definitely flagging that I think, Wanted to see if any of the members of the committee want to respond to that.

14:07:12 But also before that also. wanna see if we have other comments from the public that anybody would like to raise their hand.

14:07:19 Otherwise I'd like to see for a few minutes if our committee members want to weigh in on any of those thanks, Sarah.

14:07:28 I'm not seeing any other hands again. I Think questions and comments are coming in through the Q. A.

14:07:33 But I I believe, or guest, or able to read through those as time permits.

14:07:38 So. Oh, I am seeing I see 2 hands, Sarah. so Pamela!

14:07:44 And then bang! Pamela, your lines open

14:07:52 Pamela, you may need to unmute yourself

14:07:59 Okay. I just wanted to remind people about the disability community.

14:08:05 I have a daughter, an adult daughter, i'm an Attorney i'm. on the contrary costa Developmental Disability Council and the advisory committee to the State Council and developmental disabilities many of

14:08:19 the problems that the developmentally delayed have are those that we see with elders.

14:08:29 There's a great deal of abuse of all kinds, and they lack services just as much, if not if not more sometimes.

14:08:40 But the problem are almost identical, and I just want to be sure that people are thinking about those as well.

14:08:47 Thank you, Pamela, and that's a very important consideration.

14:08:54 I see that we have a few of we have one more comment, I think, from the public. and then i'd love to see before we turn to the break looks like Lisa and Megan would like to respond any other public members

14:09:07 Hi! hello! Can you do? Yes, Hi. Yes, I have a question about the pay.

14:09:17 5 to the abuse. to get out 30 have any default representation for the weekend of the hate.



14:09:31 Clon. So i'm hearing you have a question about representation for people who are victims of hate crime.

14:09:41 Is that correct? Yes, thank you thank you for that question sarah This is Claire i'm in saying hi i'm not sure if you're specifically referring to the recent grants that were awarded to

14:09:53 fight hate crimes if that's what you're referring to i'll get some information department of social services.

14:09:59 Is the one administering those grants.

14:10:02 So I get more information for you about the connections between the hate crime.

14:10:05 Grants and places serving older adults but if you're talking more generally.

14:10:10 You know, obviously hate crimes. could be investigated as a form of elder abuse, although likely other agencies could get involved as well, including the police.

14:10:19 But I don't know if any of the any other people want to speak to sort of the next is there.

14:10:24 Thank you, Claire, that's super helpful in addition to what Claire provided to answer that question.

14:10:32 Any committee members have any further resources to share with thing

14:10:40 Not seeing any hands. but thank you very much for highlighting that important point thing.

14:10:45 And Claire, let us know if you need anything else in terms of following up on that information.

14:10:49 I see 2 hands, Lisa, and then Megan, and then we are going to open take a break until 2, 20.

14:10:59 So first, Lisa, and then Megan. Thank you.

14:11:01 I there? Can you hear me? Yes, okay. I just wanted to reinforce bill Sales concern about needing civil attorneys.

14:11:13 Some of the we're just being inundated with financial abuse cases, and a lot of these cases for people to be restored to to really be made whole oftentimes.

14:11:27 They need They need several attorneys and that's something that we've talked about.

14:11:33 There are a lot of barriers to that which I mentioned earlier, and that includes the fact that people that work for public agencies, people that work for private nonprofits.

14:11:41 They're really gunshy about working with private attorneys and don't know when it's appropriate when it's safe.

14:11:47 I think it's a great issue for this group to possibly talk about providing some guidance to when that's appropriate when and how we can use panels, and and maybe you know, that might be an issue for our

14:11:59 legal services developer to try to help come up with guidance and and some partnerships with the private bar

14:12:10 Sorry I was just gonna say I love that I think This is a really great place for this committee to continue going in, and we're really excited at Cda that we have a new statewide legal services developer who is listening into

14:12:23 this meeting, so we'll be for sure to bring him into the conversation as well.

14:12:27 So thank you for that suggestion, and for highlighting these issues. I see a number of questions have come in.

14:12:33 We don't have time for them. but we are going to be tracking all of this, and look forward to continuing the conversation.

14:12:40 So, Megan, I will turn it over to you before we go to break.

14:12:44 I also wanted to echo the Conference about referrals to civil attorneys coming from the criminal prosecution side.

14:12:53 I can say firsthand how important the civil attorney, or if your referrals are and how much they can aid the criminal process, the criminal process.

14:13:03 Can take a long time. You have to get warrants for finding financial records.

14:13:10 You have to determine you know who's involved whereas a civil attorney, particularly if there's a power of attorney involved, or someone who might be abusing their power of attorney, a civil attorney can go

14:13:20 into court quickly and demand and accounting early on and So you don't have the necessarily have the time delays that you so often see in the criminal process, and there is one question about

14:13:35 If the civil attorneys have to wait until the criminal process is over, there is no need to wait.

14:13:39 The civil attorneys can jump in whenever one doesn't necessarily come before the other.

14:13:47 So I think the idea about referring people even to the Bar Association.

14:13:53 The California bar. is a certainly a great starting point, and I like that.

14:13:56 This has come up for conversation. Thank you so much Megan that's super helpful.

14:14:02 And Valerie, you close this up. just wanted to say, and I I did respond to Sill in the in the Q.

14:14:09 And a about the civil attorneys, County Councils, at least in Santa Clara County, often guide Aps staff, not to make direct referrals to certain you know to to one specific Attorney or another

14:14:25 because it could have because of optics because it could appear that we're saying that this is the Attorney you should hire, and what they tell us is to refer them to the local bar association.

14:14:36 So in Santa Claire County that's the Silicon Valley Bar Association. I think there is a huge gap there in the ability.

14:14:43 And the understanding of the elder independent adult, knowing how to then follow up with an attorney.

14:14:50 So the So there's definitely a lot of work to to be done there.

14:14:54 And I agree with what everyone has said absolutely and particularly i'm thinking for people who don't know who the perpetrator is.

14:15:00 I I have a friend whose mother got her computer, she ended up getting swindled into having somebody long under her computer, and her life savings were taken away within 24 h.

14:15:11 20 \$26,000, and she's at a loss for what to do, and she doesn't know who the perpetrators so very complicated system and issues. But this has been a fantastic conversation.

14:15:24 I want to thank Valerie and Lisa for getting us started.

14:15:27 I think we have a lot of work ahead of us. but really wonderful comments.

14:15:31 And input. from the members of the Council. we are set to have a just wanna turn to Maria.

14:15:36 You know we're we're probably 5 min behind in our agenda, and I think we're okay for a 10 min break, and when we return we are really looking forward to continuing the discussion on our priorities and we will start

14:15:50 with a focus focus on our legal services. system so we're really excited about that.

14:15:56 I think it will dovetail nicely from this conversation.

14:15:59 So thank you all

14:16:07 Yeah, she's not our account

14:24:32 Okay, we have about 1 min for everybody to give come back.

14:24:38 And then from their break, and we'll get started in just a second here

14:25:11 Okay? Well, it is 2 25, so we are happy to bring everybody back into the meeting.

14:25:18 And now, launch our second part of the discussion today, which is focusing on the issue of legal services.

14:25:27 And I think that Valerie, sorry, Vivian and Lisa earlier did an excellent job of outlining.

14:25:34 Why this is such a critical priority area for this council to address. So I'm really pleased to welcome with us today.

14:25:44 Somebody who is a lead member of the California Elder Justice Coalition, and who is executive Director of Legal Assistance for seniors in Oakland.

14:25:54 James Triggeri. We are very fortunate to have James here.

14:25:57 He's. i've been told known as the expert on these issues across the State, and has contributed a lot to the development of the chapter on this issue that the elder justice coalition is has released so with that I would love

14:26:12 to turn it over to you, James. Welcome. after you conclude your presentation.

14:26:18 We will open it up to discussion, and encourage you to to engage in that component of our the presentation, as well.

14:26:28 So welcome. Thanks for having me i'm real pleasure to be here this afternoon.

14:26:32 I'm going to try to do this quickly in 15 min. i'm.

14:26:38 Encouraged to have heard the other presentations, and I think there are a lot of common threads.

14:26:41 So a lot of this is is going to be a little bit repetitive. But I think again that's a good thing, because I think we have some real common solutions.

14:26:47 So i'm gonna channel my inner new englander and i'm gonna move real fast through my slides.

14:26:52 So my first slide kind of giving you an overview of the legal system, and and really how it connects to these other pieces so effectively product, you know, protecting older Californiaans and persons with disabilities requires a highly

14:27:05 coordinated civil and criminal system that also needs to be paired with social and medical support services.

14:27:12 So it really needs to be the complete package The saying I use in my office when we have attorneys that come on Buller to orient them to this work is that if there is an older adult that is come to legal assistance

14:27:23 for seniors that just needs legal help. I have not yet met them in 13 years, so that is to kind of get that context.

14:27:31 There in terms of elder justice. it can be a little bit complicated when we talk about legal services, because we're really talking about a broad variety of services, advanced advanced planning criminal prosecution to the litigation restraining

14:27:46 orders, conservatorship family law, remedies those could all be on the table to find a complete solution for older adults.

14:27:55 And that's just from the legal realm. and that also means we have to involve a broad range of partners that could be the da Law Enforcement County Council, legal aid civil attorneys and Non legal providers like the public

14:28:07 Guardian Aps case management, organizations, mental health providers, food food support services to really complete, to create a complete package of service for that older adult.

14:28:18 What makes a little bit complicated to versus other specializations.

14:28:22 If you hear someone is a will will and trust attorney, they they have a very specific set of legal knowledge.

14:28:28 When we talk about elder lawn, these solutions, what can make it daunting is that we're talking about a wide variety of jurisdictions and specialties that may need to be called upon There might be Federal State

14:28:39 consumer, correct, Federal and State law and consumer protection and regulatory agencies involved in finding and creating a complete package of a solution.

14:28:50 In terms of legal aid. What we're typically talking about what can be supported is housing rights, public benefits, immigration estate, planning, advanced health care directives and restraining orders, individual legal aid organizations.

14:29:04 have maybe some other additional services that they offer but i'd Say, that's a pretty general set of services that that get supported.

14:29:11 And again, while that's you know there are some broad truce and and statements that we can make about legal services statewide, These issue issues and solutions are going to be very unique when they're implemented through counties

14:29:26 next slide, please. And so just a couple of the recent developments.

14:29:33 To be aware of. This is by no means a complete list.

14:29:36 But just to give you some things that are happening some counties had been working on and had elder chords set.

14:29:43 Have really brought together. a wide variety of practice areas to work on, You know.

14:29:51 A person centered approach to that to that solution in court so that that's meaning that in some counties in Elimida County what that criminal elder abuse happened in the same courtroom, right after you know, civil elder abuse which could then.

14:30:05 be paired with, and you know the departments will be talking to each other.

14:30:08 I know another county. So social workers are present or it's connected to Probate Court, but really trying to create efficiencies and alignment in terms of when we're talking about complicated issues that it's really centered on

14:30:21 quickly and effectively meeting that older adults need recently the Judicial Council has been giving funding to do a review of the Conservativeship system in California.

14:30:32 I'm not going to touch on that too deeply because I know we have a full, robust conversation coming on that, and the California buyer is looking into potential expanded use of paraprofessionals to make legal services more

14:30:42 broadly available. Well, I think there's no dispute that there is need for increased support and legal services.

14:30:49 I think there's a lot of concerns on what that model could look like and oversight to the people providing those services additionally.

14:30:59 You know, one of the main berries we see in legal aid is concerns around working with older adults who are impaired and not just in legal.

14:31:05 I think this is across legal services. This leads to attorneys being unwilling to bring forward valid claims of abuse.

14:31:14 Competent attorneys are rightfully concerned if they have a client to direct them.

14:31:18 But some lack. They expertise in the training to properly analyze whether it case is still possible, and how to then navigate that.

14:31:23 Butigation. there's a real lack of prosecuting entities for abuse.

14:31:30 Where it involves more kind of complex regulatory systems. financial systems and standards of care, there's only a small pool of attorneys in California that really are able to handle these cases even with the opportunity for advanced

14:31:44 fees. it's difficult to get civil attorneys to take these cases because there's just not that many out there referrals from adult protective services, and others as I think was highlighted a little bit earlier continues to

14:31:56 be unstructured and not done in an efficient or in the most efficient way possible.

14:32:07 Connecting older adults to appropriate legal services is really daunting.

14:32:10 A recent survey by the legal aid association California found that most older California do not seek out or receive legal help For 2 main reasons.

14:32:17 They don't recognize that the issue is legal and they don't know how to access help. rural areas faced additional logistical burdens and accessing help with some areas only having one attorney available for several counties

14:32:32 In addition to the lack of access and understanding of the effectiveness of legal service, abuse is still the vastly underreported problem, and is often only reported after abuse has been happening for some time in terms of the

14:32:46 legal context that can make for limited remedies available to then support that older adult, meaning that we can stabilize their situation.

14:32:55 But a lot of times getting back you know, lost assets and and and other issues become a lot more complicated.

14:33:06 The further into the abuse. you know, interventions happen.

14:33:10 There are also some statutory issues around capacity declarations, lack of understanding of independent review, and the financial elder View statute is unsettled around standards of liability.

14:33:18 So we also have some statutory work to be done in terms of clarifying how we're supporting them adults

14:33:29 Again lots of challenges on the legal side. So these are the the bulk of the slides.

14:33:33 We got a lot of work to do Older and older adults with impaired capacity, who do not have a appropriate escape, planning documents or just planning documents in general, our left vulnerable for abuse

14:33:45 having their medical wishes not followed prolonged hospitalizations and homelessness, while conservatorship is definitely an option for protection less, and, in my opinion, less of less restrictive options are not being

14:33:58 leveraged and explored and aren't robust enough in terms of you know, in the in the arc of a competent adult all the way through control conservatorship there is there's a lot of room in between

14:34:09 for other types of support and interventions that we need to be leveraging to both. prevent, conservatorship, and and to help people live with the independence and dignity. and the community There's also a lot of public

14:34:21 mistrust of government agencies in law enforcement, and communities that have been historically disenfranchised, that have led to a lack of trust, and under reporting, especially in areas of elder abuse, it can be very difficult to

14:34:33 get all their adults to engage with the system. when they find out that the remedy or or what they then do when they have a restraining, is, they have to engage with the police department, or they have to engage with their local local law enforcement that can

14:34:46 be a barrier to them. accessing that service financial abuse in the lack of appropriate supports around property and home ownership have led to a gutting of equity in disenfranchised communities there's

14:34:57 a lot of issues around foreclosure around scams around pace loans. and there's there isn't a robust enough network of providers providing support in that space.

14:35:10 Systems. you know everything that we're talking about today, and this has been mentioned.

14:35:14 In other presentations, is still uncoordinated and siloed.

14:35:18 This can lead to disjoint in an aw often less effective legal services for older adults.

14:35:23 So again, you know I always come back to if there's an older adult who just needs legal services.

14:35:29 I have yet to meet them. So that means we need to be closely lined and paired with social services.

14:35:33 With medical services, with food services to ensure that we're taking a very holistic look at the older adult, and even if my attorneys or attorneys and legal aid, or any attorneys aren't

14:35:44 handling those parts of it. We need to be quick and effective in making sure that they have access to those resources that they need.

14:35:53 And there is a real shortage a gap in it in disparities and access to legal services.

14:35:59 For non affluent older california's underserved groups that we know about include bypark communities homebound.

14:36:08 Now there's adults with limited English proficiency, and those living in long term care facilities and rural communities.

14:36:15 These are often populations that have a harder time accessing services, and we need to do a better job of making, going to the client, making sure that our services are available and easy to access.

14:36:30 And so quickly if we focus on i'm just making sure I'm on the right slide focus on access to justice.

14:36:39 What what are the opportunities in legal aid? I see A.

14:36:43 You know, the main opportunities is focused need on outreach to disenfranchise communities, to increase understanding of legal services that are available and can help in addition.

14:36:53 And to the access needs to be improved, and that can be expanded.

14:36:56 Linkage capabilities greater number of staff who can do the work.

14:37:02 There's just the numbers issue. that's happening in legal a where we just don't have the attorneys to do the work or in rural areas.

14:37:08 Mobile legal clinics, I know, are legal being explored and I think that's a a great option building more stronger, more formalized partnership with medical and social service providers.

14:37:17 I think, is a critical piece to creating this coordinated system that really will be cross, beneficial.

14:37:24 And then there are additional needs to strengthen services and state planning and homeowner protections in terms of Sybila.

14:37:32 I think we've kind of already discussed you know discussed that with Still and others discussing the California bar referral network needs to be made more robust to give older adults access to competent civil attorneys who are

14:37:43 trained in other law and financial abuse and with that we need to increase outreach and training available to build the attorneys that are going to be willing to take these cases.

14:37:54 Right now. there's just not a lot of attorneys out there who can do the work.

14:37:57 So we need to be aggressive about training newer attorneys to do this type of work.

14:38:02 Nick in the criminal law round from no prosecution of commercial creditors, needs to be prioritized.

14:38:08 You know I I think so can speak more to this, but there are several kind of more business have business front types of abuse that are not being prosecuted that are allowed to operate, and are not being stopped for many many

14:38:22 years, and then additional trainings for prosecutors to allow them to address issues that may arise in working with other adults.

14:38:29 And so for a lot of prosecutors that come into this work, other adults may not be their specialty.



14:38:34 And so some specialized training around working with all this results restored. As Lisa mentioned, restorative justice approaches to other views need to be better understood and implemented as potential strategy in appropriate cases supporting the reestablishment of

14:38:47 elder courts which provides a central point of coordination for complex cases that cut across several practice areas and data collection.

14:38:54 We need to have better data that demonstrate the impact of legal interventions in terms of outcome impact disparities to access and unmet needs. The last one.

14:39:03 I would add that I think I just forgot to put in is there's also, I think, additional need in in terms of the statutes, and that the elder abuse for straining order.

14:39:12 Statutes. right now do not offer the same protection as domestic violence, and I think there is an opportunity there to push for more robust availability of those options and other abuse or training orders in that particular space

14:39:25 as Lisa mentioned. You know Cjc has the elder justice blueprint, which goes a lot deeper into a lot of the things I discussed.

14:39:35 And has more kind of bullet pointed interventions that could be explored.

14:39:38 So I encourage you to take a deeper look at it. as some more specific recommendations.

14:39:43 But I wanted to give a link to that document, and just really appreciate being able to present and and for the opportunity to be here. Wonderful!

14:39:53 That was an incredible, very concise, thorough, overview.

14:39:57 I learned a lot, James. Thank you, I think this gives us a lot to consider in terms of the issues that you identified, and the potential opportunities for reform.

14:40:06 So now i'm really pleased that we can open it up to discussion and with the committee members, a number of really important questions being raised in the chat.

14:40:18 But I just wanna also highlight, and in the the Q.

14:40:21 A section just what I took away in terms of the opportunities to focus on, you know, looking at outreach, to increase awareness of services, access in terms of language, access, and in terms of number of actual attorneys able to provide services

14:40:36 building partnerships across medical and social services. I think this is something we hear across the continuum, and these partnerships should be done all together. And I think a lot of times partnerships relies on data too.

14:40:51 And the information and data exchange in addressing those issues.

14:40:55 Looking at estate planning and home ownership protection you mentioned before at the issue of the civil law and access to a really strong and robust preferal network, which is also something we highlighted of course in the aps

14:41:08 discussion. criminal law, just opportunities. looking into the commercial predators, looking also at restorative justice.

14:41:17 Revisiting the the Elder Courts data collection.

14:41:21 Looking at statutes for elder abuse, restraining orders and others.

14:41:26 So that's just a handful of what James identified committee members who would like to ask questions or make comments.

14:41:35 I just wanted. Thank you again, James, for that outstanding overview.

14:41:42 Sorry to move so fast that no, it was. it was excellent, it was perfect.

14:41:44 It gives us time now to engage via yes, thank you so much, James.

14:41:49 I think there's a lot of things that you brought up that are really really important.

14:41:53 But a few things I wanted to point out. I think you really highlighted the fact that there really are a lot of overlaps.

14:41:59 Between legal services and then other agencies specifically aps. And I think it's great that we're addressing those 2 agencies and the conservatorship judicial system, because they really do all overlap

14:42:12 and interact with each other in a lot of different ways. But we do not see the collaboration happening between these different agencies.

14:42:20 For example, I know some people were mentioning in the comments in the chat about figuring out ways to refer clients to civil legal aid or finding attorneys for them.

14:42:35 And that's really an issue that overlaps many different systems. There, in other States they have created ways to make referrals through the State bar system, and or sometimes it's actually through the legal aid agencies will make

14:42:48 referrals. They have a list, and they, you know, pick someone random off the list.

14:42:53 But this is something that really can't be solved in isolation, like Aps just figuring out this issue on their own.

14:43:00 This is really going to have to create some kind of communication.

14:43:03 Any system through both of those agencies, and that's going to be different all throughout the State, because there's not just one legal aid.

14:43:09 There's many legal aids and Then there's also the organizations that are funded by the older Americans act that provide services just for older adults, regardless of income.

14:43:20 So we've got a really coordinate with all of those. So I think there, there's really an opportunity for the legal aid developer to help figuring to help figure out that issue

14:43:30 And then I know Someone also mentioned this issue of communicating like once you do a referral to a legal aid organization or a private attorney and keeping that connection.

14:43:39 And again, you know, lawyers just like social workers. have confidentiality roles that are very strict, and they cannot violate them, or they will lose their license.

14:43:49 So really, if there's more knowledge between the different professions about what are your limitations?

14:43:53 What can I tell you what can't I tell you and How can we create a system where we can communicate and use each other's information, but also maintain the confidentiality of our clients there is a way?

14:44:04 To do it. it's been done people have done it in other States.

14:44:06 We just need to, you know, really outline that and understand each other.

14:44:11 Fabulous perspective things you so much Vibian, and Marty. And then, after Marty, I see that Howard has his hand raised as well. Hey? Thank you, Marty.

14:44:20 You modo family member Cdc. canoe for the Jameson.

14:44:27 Thank you very much for that presentation, and, thank God and another you give Southerners.

14:44:31 But the fact that you did it kind of in the New England past style that was really appreciated.

14:44:37 So. But thank you. I really appreciate it the way also.

14:44:41 The other thing. I really appreciated, that you use inclusive language to not only talk about older adults, seniors, but also people with disabilities.

14:44:50 And I think one of the things with the Council and also the Community Living Advisory Committee.

14:44:54 We're gonna have to do our best that we just don't end up being advocates who are siloed in in how we speak and talk about only older adults.

14:45:04 My sister had developmental disabilities, physical disabilities, and she was an older adult, a senior.

14:45:10 When she died and she had problems crossing every one of those systems and that if we're gonna be true to our mission, we gotta be true to the way we speak and be accessible.

14:45:23 So that people who are listening to us know that we are talking about them if we're going to help them, they have to know that we're talking about them.

14:45:30 But my question actually on legal services, and one that I hear a lot from families, and you know, especially those older adults, but also people with disabilities who are adults is what happens.

14:45:42 There's a need for legal services, but it's not just for the issues of abuse that is occurring from another person or financial abuse from a family member, or whatever or isolation or the lack of or being placed in a

14:45:57 harmful situation. What if that's caused by a government service or a service that they're eligible for?

14:46:04 And now they're cut off, because now they've lost eligibility, for whatever reasons, or they were cut off, or their services were reduced, and it and often I hear people the need for legal help, and there is none and if that's

14:46:20 not abuse, and I just wanna know someone to define me.

14:46:24 That abuse is not when government or and that by the way that's not reflecting on the people who provide who are government workers or work for providers or regional centers is not even about that it's about when people

14:46:39 feel they're harmed and losing services is that not Where does that fall into what we're talking about in terms of abuse?

14:46:48 And also the need for legal services, and and does it.

14:46:51 And if it doesn't I would I think we need to explain that to a lot of our community, why it doesn't because the majority of problems that people have no majority, I'll take that back, but a large numbers are not getting the

14:47:04 help, or the services they need, which actually would ward off financial abuse or other forms of abuse.

14:47:12 So I'll throw it out there and I I said that in a California way of speaking, which is Japanese, American, which is sort of bastard for both.

14:47:21 Thank you.

14:47:30 James, I didn't know if you wanted to respond at all to Marty's very important points that he made.

14:47:36 Yeah, I I appreciate the the recognition of those issues, and I and I think it calls out to that point.

14:47:43 That lack was really showing in their survey that you're not doing a good enough job of communicating, making that link that one that yes, your issue is legal, and you should be seeking legal help. and that is actually the most effective, tool.

14:47:55 For you to use in this space, and we need to have lawyers doing it.

14:47:59 And so to marty's point I mean when I hear you speaking, I think I'm thinking of social security I'm thinking of different benefits that legally does provide those services and if you're in an and I think mostly late providers do and so to hear

14:48:12 that people aren't being connected in your community I'd be curious to explore further, because I would say for Alameda County. that those are services we try to provide, and it depends on the agency.

14:48:23 It depends on the regulation. Of course, you know, all government agencies or regulatory agencies are not created equal, so it really depends on the case.

14:48:30 But certainly, when we speak of benefits, that some of the the bread and butter of what we do, because we know fixed income clients were released on income every month.

14:48:41 That, you know, if that is disrupted, that can be incredibly impactful to their well-being.

14:48:46 So that that's some of the main work that we do here. Thank you, James.

14:48:51 Howard. Yes, that you I feel, yeah. how many people and all the way people with touch ability are valuable to abuse.

14:49:04 And exploitation, and perhaps we should consider going a state.

14:49:11 Why public radio and Tv informing the communities.

14:49:20 You know. but trevor's that are available and and telling them, you know I for help, but you are in a sport, painting or beauty situation, people should not have to shut for that.

14:49:31 I think that very long, and I think that perhaps public trouble announcement would help a great deal off.

14:49:41 So I think we need to know. Keep in mind that to your able community suffer many of the same problem.

14:49:49 And elderly people who are not who are not developmentally disable.

14:49:53 And we need to keep this in mind, too. Yup.

14:49:59 Thank you, Howard. I think that's a really great point I love the themes about recognizing that people don't live in silos, and you you know we have an increasingly aging population of people with developmental

14:50:13 disabilities. as Marty, was talking, about and they don't think of themselves as a as a person who fits within one service delivery system.

14:50:20 And so the more that we can make these connections across and include it with legal services, the better it is for the consumer.

14:50:27 So I like like the the thinking and the creativity about how we might be able to better spread the word about services that are available while also expanding access.

14:50:37 So I I saw a hand raise from Tony Anderson.

14:50:42 Tony, if you want to just remind everybody of your affiliation as well.

14:50:45 Oh, yes, Tony Anderson Valley Mountain regional center I'm.

14:50:50 A executive director. thanks, James. A lot of questions for me.

14:50:56 But in particular I was thinking about our our attorneys are legal aid services per aired and able to work with somebody who's using us support decision, making or some other facilitator with them.

14:51:10 And then the other question, I have is if they aren't to be successful, or a person of the disabilities be successful in a civil case, and then they get their money back.

14:51:21 And is there any benefits protection good that occurs with the attorney, or or do they have to get that on their own?

14:51:30 And are they at risk? those are great questions, Tony.

14:51:34 I think I think the first one is a is a big yes, I mean, I think we are always looking for

14:51:39 You know we have a client, but I think when talking about you know, if the client is able, and wishes for others to be involved in the decision making and their and their people that are providing good support and services, I think we

14:51:51 do welcome people into the full you know that can but it's always at the direction of the of the client right that they they are comfortable.

14:52:00 They want that person to be involved? do you have any professional standards that you have to follow or is just the the person with the disability makes the decision, and that's it.

14:52:12 No, we definitely have standards. and call you know they're definitely times where people will try to insert themselves, and there's red flags.

14:52:19 So a lot of it is just experience, training, and time in this space learning, when someone is inserting themselves as a friend.

14:52:27 You know we see lots of friends of family and that we have to be very careful, and who we engage with, and it always has to be at the direction of of our client, because at the end of the day that is who we're

14:52:36 serving in, and that is probably the strictest standard we're gonna follow.

14:52:40 I think, to your second question, there needs to be a lot more education around that I've seen more than one case.

14:52:47 Unfortunately, where an attorney did really great work around getting a settlement and getting that money in the door, and didn't understand the part.

14:52:54 2 that you were talking about at that. There needs to be exploration of a special needs.

14:52:58 Trust there needs to be exploration of how that money can be delivered in a way that preserves benefits that that really maximizes and doesn't disrupt.

14:53:08 You know other other supports, other other money that they may be using to survive.

14:53:12 So I unfortunately, I've seen cases and this is kind of what we talk about when we talk about a lot is very different from someone specializing in like wills and trust because you have to be aware of such a broad range of issues and that's

14:53:24 a perfect example where, you know, like I said several cases where the the civil part got taken care of, and was well done, and that attorney did a great job of, you know, wasn't thinking, or at least didn't think to engage another

14:53:35 attorney who was more specialized around how that settlement should be structured.

14:53:41 So that really speaks to that point. we're talking about We need a lot more training in this area where the intersections lie, even within the legal system. Right?

14:53:50 Of how the different areas of law overlap interplay.

14:53:53 For the benefit of our clients. Wonderful! Thank you, and we have time for one more question.

14:53:58 This has been very, very informative discussion and appreciate it.

14:54:02 Andrea, and then quickly, we will move to Alan.

14:54:05 After that, Andrea James. Thank you so much. What a really valuable presentation coming from the prosecution and law enforcement side!

14:54:14 One of the big challenges we run into is we have a number of elder victims who we are, you know, kind of working through the criminal process, and, as you said, that is a much slower process than the civil process so we will often

14:54:25 recommend that people, you know, if they have an interest in it pursue a criminal.

14:54:30 I'm sorry civil remedy as well the problem that many of our victims run into is that they've lost all their money, so they do not have the resources to pay for the services that are available.

14:54:42 So I think one of the gaps that you know this conversation is brought up for me is just the sense that we need more low income options for older adults and people with disabilities who you know again.

14:54:55 They've already been financially abused and so being able to recoup those losses in a time sensitive timeframe before the suspect files for bankruptcy or spends all that money or sends that money out of the

14:55:07 country. I, you know, just love to have that be part of the dialogue as well.

14:55:11 Just more resources, more availability. for you know folks who are traditionally underserved by both the criminal and the civil process to have have greater accessibility to that. But thank you so much.

14:55:22 Great great information 100% andrew you're a 100% right? And I'm sure still is screaming through his screen right now. that's part of why on the civil side there is enhanced basically there's a chance for

14:55:35 enhanced fees and contingency. so someone being low income or not having money there, that shouldn't be a barrier to accessing civil legal services.

14:55:44 It is, I mean, we all know practically that it is, but it it really.

14:55:47 We need to do better because it shouldn't be there there are other ways for that attorney to get paid, and for that client to be made whole, though the those the system exists.

14:55:57 We just need to be using it more intentionally and more robustly.

14:56:01 Thank you again. Thank you all for your comments we are past time. So cool, Gloria.

14:56:06 I'm gonna ask if we can hold your thought until we have time for more discussion.

14:56:12 Want to make sure we have a opportunity to get to our wonderful discussion on conservatal Conservativeship issues, and then talk about where this all leads in terms of next steps and the day of action.

14:56:24 Before I move to Scarlett. I wanted to see if Susan if you wanted to see anything briefly, because I know you're gonna have to hop off just

14:56:34 Thank you to i'm learning so much thank you all and we're really seeing where you know there's a where we can connect things, and as we embark on years 3 and 4 of the master plan for aging i'm

14:56:47 seeing something congeal here where with experts the experts we've already heard from, and Scarlet i'm so sorry you're one of the other experts that we we really appreciate as a partner at the department

14:57:01 of aging So thank you all and we'll just keep continuing this conversation, and we really look forward to all of you participating on September the twentieth you'll hear more about that later on the

14:57:14 agenda but it's so important personally to me that these issues be conveyed in that setting, and that we put forward a very proactive agenda in the next 2 years when it comes to

14:57:28 elder and disability justice. So thank you all for your service on this committee, and and for sharing your wisdom and expertise.

14:57:36 Thank you, Susan. have a great rest of the day, and we will certainly find you in on the rest of this important discussion session.

14:57:43 So with that i'd like to turn it now and to Scarlet Hughes, who offered well, who was volunteered, or whatever that was mandated to volunteer for the presentation on conservatorship so

14:58:01 scarlet. Thank you for being here. and we look forward to your presentations, followed by discussion.

14:58:05 Thank you very much. I need somebody to Let me share my screen.

14:58:12 Oh, you've got my stuff. Okay, cool However, I can't see my notes with you doing that, So if I could share my screen, I could see my notes

14:58:28 I went ahead and made your co-host, so you should be able to screen share.

14:58:31 But let me know if you hit any stacks it says that this will stop other sharing.

14:58:37 Okay, That's: Okay, Yeah, Yeah. So let me just make sure you can see just my presentation.

14:58:44 What do you see? Just my presentation that's your presentation?

14:58:48 Yeah, thanks everybody. i'm scarlet Hughes I am the executive Director for the California State Association of public administrators, public guardians, and public conservators been doing this work about 36 years and have a huge passion for



14:59:02 it. Our association is. We represent all of the public administrators, the public guardians, and the public conservators in the counties, and they are county officials appointed by the boards of supervisors in each county and our

14:59:17 association is the certifying body which means that we're legally responsible for training all of the public administrator, guardians, and conservators, and all of their staff.

14:59:29 They have to get their training and their certification from us.

14:59:33 Our association is comprised of 3 programs, and it is the probate conservatorship program.

14:59:39 The Lps Conservatorship program and public administrators.

14:59:45 A public guardians for the most part do the public Conservator.

14:59:51 Probate Conservatorship program. Public conservators tend to do mostly the public the Lps program and the public administrators deal with the dead in the county.

15:00:01 So when someone dies and there's no one to deal with their final a State matters, and or sometimes there's exploitation, the public administrator will be pulled in by the courts to manage that person's assets and

15:00:17 distribute their assets after their death. the organization of where public guardian, public conservatives, and public administrators are located in the county.

15:00:27 Various county. Sometimes they're all 3 together, sometimes the public guardian conservator, are separate from the public administrator.

15:00:37 The public administrator could be under the share of coroner, treasure tax collector, the da.

15:00:42 In some cases there is the public administrator and the public guardianer together.

15:00:48 But the public conservator is somewhere else. so that that configuration is a bit of a challenge.

15:00:53 It's difficult for people to know where to go that's kind of the the challenge with that carol I saw you had a hand up.

15:01:01 I don't know if they want me to wait until the end of my presentation or not to take questions.

15:01:07 Let's but thank you for that scrolling what we'll do is feel free to to wait to raise your hands.

15:01:11 But why don't you get through your slides and Then we'll start the discussion.

15:01:15 Okay, that sounds great. So in most counties the public guardian, the public conservator is the official that is responsible for doing conservatorship investigations in that county, and this includes investigations regarding forensic cases for

15:01:30 incompetent to stand trial. these are cases where someone committed a crime, and the courts trying to decide whether or not they're competent to stand trial.

15:01:37 A lot of those referrals come to the public guardian conservator's office because they aren't competent and so we get those referrals as well.

15:01:46 There's only one named public guardian conservator in each county public administrator, as well, although i'm going to focus mostly on public guardian and conservators today.

15:01:57 Because that's what your council is mostly concerned about is with elders and disabled individuals.

15:02:02 So the Board of Supervisors appoints one county official, and then he has deputy, or she has deputy public guardian Conservatives, who carry out their duties for them, and can the conservatorship is a court

15:02:13 proceeding, which means that it's it we legally appoint someone to be responsible for someone who's not capable of making decisions for themselves.

15:02:23 There are 2 types of Conservatives. As I said, Letter Mccarthy Short, which is Lps, stands for Lps Act, and that type of conservatorship that is, for an individual who has a severe mental illness and

15:02:35 cannot make decisions for themselves. Probate conservatorship is for individuals who have some type of neural cognitive disability.

15:02:43 Generally this is going to be someone who has some form of dementia. oftentimes Alzheimer's disease.

15:02:51 This is going to also be individuals who are intellectually disabled and or head trauma type.

15:02:57 Individuals. There are 2 systems of conservatorship as well, which more further complicates the the situation.

15:03:05 There is the county public guardian, conservators system. and then there is also private conservators.

15:03:11 Many family members are appointed the private conservator for their loved one.

15:03:15 And then there is also a private for profit conservatorship system.

15:03:21 Now the public guardian conservators don't tend to get the money cases.

15:03:28 A States with large assets, don't normally come to the public guarding Conservator.

15:03:30 Think of Brittany Spears. That type of conservatorship is generally with a family member or with a court appointed private conservator, who does that for for a business.

15:03:43 When we get cases with money it's because they're really really complicated.

15:03:50 And they're really there's a lot of conflict the courts will take it away from a family a couple of you know.

15:03:55 2 siblings are fighting over mom's estate and the court will take it away from them because of the conflicts that are involved, and give it to the public Guardian conservator's office that's about the only

15:04:05 time that we tend to get those big money cases however, that doesn't mean that we don't get a lot of complicated estates.

15:04:12 We do? as a public guardian, Conservator. I managed a winery.

15:04:17 We had cows, we had pigs. we had an airport for a short time that we had them.

15:04:24 I had to manage a bar for a short time, so you name the asset.

15:04:26 We might have to manage that asset for that client until we can either sell it or get somebody else to take over.

15:04:32 Maybe, as under a trust. Some basic facts about conservatorship are that all conservatorships, private or public, are appointed by the local superior Court.

15:04:46 All the court may grant the conservatorship for the person and or the estate.

15:04:50 It just depends on what the needs are of the client.

15:04:52 The counties have cobbled together resources primarily from county general funds to provide 258 million dollars in services for conservatorship.

15:05:07 In the counties, however, that's very insufficient for the need that is out there.

15:05:12 Public guardian and conservators are only count are the Only county operated a social service program that we're aware of that doesn't receive any Federal or State funding at all.

15:05:26 Gonna give you a very brief overview of lps and Then we're going to get into probate which is more relevant to this Council's Purview as I stated, lps conservatorship

15:05:36 is for let him have a short act. It was a group of laws passed in the late sixties which mandated that it provided due process due process for individuals who were being conserved, which meant that you now had your day in court so to

15:05:54 speak you could. You were appointed in an attorney who represented you prior to the Lps Act.

15:06:00 One doctor could sign one form, and you could be put in a locked psychiatric facility for indefinitely, and you had no recourse.

15:06:10 You had no ability to dispute the fact that you were mentally ill.

15:06:14 So. Lps was a really important set of laws that gave us all protections with lps.

15:06:21 You have to be appointed the conservator of the person? Because that's the point of the conservatorship is to force mental health treatment on that individual against their will that's Why?

15:06:30 There's so many there's various hearings that are held at the beginning of the conservatorship process, and that's a lot of the reason, too, why people can cycle kind of through the system because once you get medicated

15:06:42 and you clear We can't hold you any longer we have to legally let you go.

15:06:46 If you are able to give us a good plan for your care, So it is.

15:06:52 It is a system of protection, but it also is assumed that can be problematic for the for the individual.

15:07:00 Who then goes back out and stops taking their medication and then they get ill again, and then once again they're they're their needs are not being met.

15:07:10 The Conservatorship Lps Conservatorship process does start with an welfare institutions code, 5,150.

15:07:19 And that whole process is that you get to tame for 3 days you get evaluated. if you don't clear, or you don't.

15:07:24 You're not you don't agree to treatment they can hold you for 14 days more at the end of that 14 days.

15:07:31 The public guardian conservator's. office must receive a referral to continue to hold you and treat you. referrals come from acute care facilities oftentimes.

15:07:41 Now the jails and it's based on great disability meaning that because of a mental illness and or alcoholism you cannot make decisions for yourself.

15:07:49 However, the the issue with alcoholism is really not we don't conserve people under that any longer, because the law required.

15:07:57 When these went, When these laws got instituted in the sixtys, there were a lot of institutions that treated alcoholism impatient.

15:08:05 So you, the law says, If you can serve under alcoholism, they have to be put into a detox or alcohol.

15:08:13 Treatment facility. Those don't exist anymore for the most part so we don't conserve under that.

15:08:18 I don't know anybody who does that right now and the conservatorship terminates after one year, unless you file your re reappointment.

15:08:26 Petition. Probate conservatorship is 4 individuals who have a major neural, neural, neural, neural, cognitive disorders, mostly dementia type cases.

15:08:39 A lot of alzheimer's cases and also head trauma, and some intellectually disabled individuals, although most public guardians don't conserve individuals.

15:08:53 Who are treated by the alter regional, or to the regional centers.

15:08:56 It is the legal basis of the conservatorship is that you lack password to make decisions.

15:09:02 We can give full medical, we can get full medical consent.

15:09:06 Authority over an individual under a probate we can't do that on an lps, and we also can't prescribe psychotropic medications unless there's specifically being prescribed to treat dementia that's a very

15:09:21 important distinction We don't have that power and we can't put someone in a lock facility on a probate like we can with an lps.

15:09:29 Anyone can petition to be a probate conservator.

15:09:33 But all Lps conservatorships have to come initially through the Public Guardians office. Although we do a point a lot of family members off of our petition on lps.

15:09:43 We don't do that on probate it's difficult to terminate a probate conservatorship, because for the most part the end of it.

15:09:52 There's no renewal process once you're on a probate you're on a probate until you can demonstrate to the court that the person no longer needs the conservatorship or that individual dies or that

15:10:03 individual. We We find another individual to be the conservator who is as capable and as responsible as the public guarding conservator.

15:10:13 So the generally once you're on a probate with few exceptions you're on that conservatorship for life.

15:10:20 Most of our probate clients are elderly they're frail.

15:10:26 Many medical problems, lots of cognitive challenges and also we they can't manage their assets.

15:10:31 They can't make daily decisions for themselves and so we wind up doing that for them.

15:10:37 The Omnibus act of 2,006 dramatically affected the public guardian conservators in the State.

15:10:46 The i'm the best act required it made sweeping changes, and it required that the public guarding consumers became of an investigation within 2 days.

15:10:56 It requires the court, appoint the public guardian conservator.

15:11:01 If it appears that a Conservativeship is needed.

15:11:04 And It also required that public guardians file, even if the Court doesn't appoint you, If you become aware that someone is in immediate threat or danger financially or physically, that you have to file prior to the

15:11:18 Omnibus Act. Public guarding conservators had more discretion about the types of cases they took, and after the act we lost a lot of that discretion.

15:11:27 And so our case those increased dramatically after that current challenges and priorities.

15:11:35 Currently our biggest challenge. is that we're critically underfunded. There's no dedicated state or fit state funding.

15:11:42 As I said, there is a lot of new cases coming to public guardians and conservatives from the criminal justice system because of the diversion from the prison system of individuals with any type of mental health issue out of the criminal justice

15:11:55 system to conservatorship. We have seen a dramatic increase in that type of case.

15:12:03 Over 500% increase since 2,016 created a lot of challenges.

15:12:09 Placement wise. There is also a significant shortage, statewide of all types of placements, locked placements, board and care, skilled nursing facilities that will take challenging clients.

15:12:27 Even you know, intermediary care level placements it's just It's a it's a crisis all over the State public guardian conservators have no more priority than any other individual or system we get

15:12:40 in line, like everybody else for our clients. I had a case where the court released an individual from jail, an elderly man who had committed a crime, but he also had dementia and some mental health. issues.

15:12:54 I had nowhere to put him. I told the court that judge didn't care He had him discharge, and brought physically to my office and said He's now your problem and so finding placements for our clients is a

15:13:08 major challenge for all of the public guarding conservators.

15:13:14 Current are, you know our members are also seeing an increase in difficult cases across the board.

15:13:20 So these are cases that have traumatic brain injuries, dementia cases, violence, tendencies.

15:13:29 In some of those cases a lot of the younger Conservatives, with mental illness are coming in with criminal backgrounds and violent histories.

15:13:36 Those are really difficult for the public guardians to place. and, as I said earlier, we have critical staffing shortages.

15:13:43 We have A. We saw a dramatic surge in cases since 2,01720%, and this has a lot to do with.

15:13:53 As I said, the criminal justice cases, but also the aging population. We're seeing an increase in elders coming in our average case, loads are between 65 and 80, about 3 to 5 times higher than say, children's protective services is a

15:14:09 similar system to ours, and that they take responsibility for that child's life.

15:14:14 We take responsibility for the elders life or the disabled adults alive.

15:14:21 And yet our case loads are 3 to 5 times higher than theirs, and we don't get any funding like they do.

15:14:27 And the other issue that we have which I think was mentioned earlier today is a lack of data.

15:14:31 There's just no data out there about conservatorship We do some internal surveys, but that really which gave us some of the numbers that I gave you to do.

15:14:42 But none of the systems statewide to do any kind of tracking of the private conservators.

15:14:48 I can't tell you how many public guardian conservator cases exactly.

15:14:51 I did an informal survey and we have about 8,000 probate conservatorships with the public guarding conservators, and about 15 lps concernship cases.

15:15:07 But again that was an informal survey that I did of our members other

15:15:14 The lack of funding for public guarding conservatives negatively impacts other systems as well.

15:15:20 Acute care, hospital, psychiatric hospitals, county jails, the courts, adult protective services, the Ombudsman.

15:15:27 All of those systems are impacted because public guarding conservators are often considered a bottleneck in the system.

15:15:34 All of these entities rely on the public guardian conservators to do their investigation, and quickly move people through the system.

15:15:41 However, because of the extreme shortages of staff and funding we aren't able to meet the demand.

15:15:50 Investigations backlog up in all of these systems and result in people staying in acute care hospitals.

15:15:58 The jails psychiatric hospitals longer than they need to be just because we don't have anywhere to put them, and because we don't have the workers to go out. and look for those placements.

15:16:10 We don't have the we can't you know we have to prioritize the referrals that we give.

15:16:15 So if I get a referral in the same data i'm a deputy public guardian, I do lps, and I do probate the lps has a timeline that I have to meet by law.

15:16:25 And so if I get a referral for an elder and say a skilled nursing facility, or even in their own home, I may have to see the lps person first, because the probate referral I don't have that

15:16:38 same timeline legally. I I will get out and see that person as fast as I can.

15:16:44 But i'm gonna need to deal with the lps first if I have a probate that's at risk.

15:16:49 I'm gonna go out and see that person first which means that the person sitting in the hospital who is safe for the moment is going to wait, and that's just a huge bottleneck in the system

15:17:03 Public guarding conservators are not aligned with any State Department, so I get calls all the time from family members or community members who say, Who do I? who do?

15:17:14 I make a complaint to I don't like what this public guardian did, or I don't like my deputy isn't doing something that they should be doing.

15:17:22 Where do I? Where do I complain? And There is no oversight except for the courts and the county structure?

15:17:30 So if i'm the public guardian conservator somebody makes a complaint against me that goes up the county chain of command, it's going to go to my Director or the Board of supervisors, or the County exact There's no Oversight

15:17:43 from the State. there's no oversight of any regulations from the State.

15:17:49 So what that? What that transfers into is that there's not Consistency county to county, because the funding is county general fund.

15:17:56 Each county decides how much they're going to give the public guardian conservators to run their program.

15:18:01 So you're going to get services that are very different from county to county.

15:18:06 You know we provide the uniformity just isn't there because of that of the department of Social Services.

15:18:15 The Department of Health care services would both be a appropriate departments, for there to be a conservatorship program underneath one of those departments to help us with uniformity regulations data collection standardization technical support and also

15:18:31 to allow allocation of funds to the department.

15:18:35 I know that the department of aging has a new position that They have created It's a conservatorship liaison.

15:18:43 It's not clear yet, because it's just been developed what that will mean going forward.

15:18:49 But i'm we're hopeful that in the future there will be some State partnership with public Guardian Conservatives.

15:18:56 So. Our association has submitted numerous budget requests over the last few years trying to fund the public guardian Conservators.

15:19:06 We this current, the funds would dramatically help us increase our capacity just to to do referrals quick quicker to prevent homelessness of people who are coming into the system provide emergency response that we can't do

15:19:23 right now reduce the recidivism rate. All of those things would be greatly enhanced by funding for public guarding conservators.

15:19:33 Our budget request this year was for 200 million dollars, and that was to augment, not to plant the money that the counties put in, which is 258 million.

15:19:44 However, our Budget proposal was not successful the were part of a large safety net of services, and yet we're the only system that doesn't receive any funding and a lot of people are baffled by this and part of

15:20:03 The reason is that the governor's office and the legislature isn't interested in funding anything new that they don't currently have to fund.

15:20:11 So it's going to take a village of associations and systems to convince them that this part of the system is critical, and that it's underfunded and needs attention.

15:20:24 So for the moment. Anyway, we are going to continue our advocacy, and this your your council could be a major partner in that by supporting our funding requests by supporting a State home by helping to develop data collection processes



15:20:43 and mostly to oppose anything new that puts any new requirements on public guarding conservators without funding.

15:20:52 So that's my presentation. I can ask answer questions you might have and I'm gonna stop sharing my screen. Great?

15:21:00 Well, thank you so much. What an very end of presentation!

15:21:04 And overview you know some of the common themes I heard in terms of you know, a lot of issues that that also relate to some of what else we've discussed discussed in the other priority areas stylization lack

15:21:20 of access to service services, lack of data, the need for standardization across the State just among others.

15:21:29 And then, of course, she focused on the important resource issues in challenges that the public administrators public audience have been facing.

15:21:37 We are very short on time right now, and I think it's clear.

15:21:42 There's a lot of space to move here, i'm gonna ask. Ellen has her hand raised, and then Howard does as well.

15:21:49 And then I want to see if anybody else has any general comments.

15:21:52 But for sake of time we might need to move forward after that.

15:21:56 So, Ellen, I will start with you Okay, thank you so much.

15:22:01 I haven't worked in the ppg pc area for quite a few years.

15:22:04 I'm, well aware of many of the challenges and I always see Aps as the front door and public conservator in public guardian.

15:22:13 As the back door, and without that flow of individuals, especially with aps increasingly, or the age being decreased to 60.

15:22:21 I see the workload going to increase significantly. so I think one of the challenges, too, is the complexity of working these type of situations.

15:22:31 They're very There's a strong involvement. with legal and a lot of probate code w and I code you have to be aware of It's not a quick job where you come in and just learn it in 5 min.

15:22:44 So I just want. The Commission was very much in support of your funding proposal, and we will continue to be so and look for ways to partner to make your recommendations a reality.

15:22:53 Thank you, Allen, thank you ellen that's very helpful Howard

15:23:10 Okay, thank you, and then I will be brief I know what shot on time, and I don't want to say that

15:23:18 I would like to mention an addition to everything that have already been mentioned, that the is our target, and at least some kitchen, 2 conservatorship, and that is called the porter.

15:23:30 He says him making, and what you know people will help approach them reach the decision. make better choices, and I feel good with how we do some of the road. I'm.

15:23:44 A conservative I'm. a conservative system and We're also reduced the possibility of no people being new.

15:23:52 And conference room. you know, and well order and do.

15:23:57 Contributor check because somebody want the money or doesn't like them.

15:24:01 And just basically want to give them and I feel that they're supported decision Making would be a really good option, and some I know they've got lots of gravitates.

15:24:11 But in somebody page I think it could help and I also want to mention there was a bill call at the 1 6 3, I think, with intended to make support, because you're making more authority.

15:24:28 And have a done more often. I think this is the last thing that need to be considered.

15:24:35 The porter. The change i'm making and by the way just for the record.

15:24:38 I am not under control, but i've never been concerned I and just saying that for the record just so you know I hate to see people get their life taking away.

15:24:52 No, it does an alternative. let's take it absolutely Howard very important point that really conservatorship is the very last step.

15:25:02 If all other avenues have been exhausted and i'm curious to hear. we are gonna add 5 min into this discussion.

15:25:09 We think we have a enough time for that before we say talking about next steps.

15:25:13 So I I would love to hear people's thoughts on this concept of supported decision, making as well as any other comments in relation to Scarlet's excellent overview and presentation.

15:25:25 Vivian. Yeah. so I really appreciate scarlett's comments.

15:25:30 I wanted to also just couch that this the the discussion of conservatorship. just acknowledging that the probate conservatorship and limited conservatorship are different and a lot of times we talk about them with the

15:25:44 same word, but they are completely different Legal tools and really are focused on very different populations.

15:25:52 So I think it's important to highlight that because a lot of times. if we just, I think we should just be very specific about when we're talking about probate conservatorship and you know people with cognitive issues that are

15:26:03 probably never going to improve Therefore, having that conservativeship for a longer time makes sense versus a limited Conservativeship, where someone may improve may transition into supported decision, making, I think it's great that howard brought up

15:26:16 supportive decision, making, I think it's a it is a great option.

15:26:20 But as he highlighted it doesn't work, for everyone. and I always really want to highlight when we people mention it, just thinking about the fact that someone who is engaging in support decision making and it works for them really is a person

15:26:33 with a lot of support. They've got people around them problem money stable housing.

15:26:42 You know, stable support, and that is not going to work for a lot of people, especially anyone who is vulnerable to homelessness, experiencing homelessness, actually support decision-making might put them at risk for increased abuse because

15:26:54 there may be people who are trying to prey on them through that system, but really looking at the system and knowing that nothing is one size fits all.

15:27:03 And how we have to really think about who the vulnerabilities of each individual person, and trying to figure out a system that actually really will work for them and put to actually protect them.

15:27:15 Excellent, thank you it's it's helpful for me to hear that nuance, not being somebody who's so familiar with each of the systems to understand the different tools that are out there, and the importance of really looking at

15:27:24 the individual cases for each consumer in in determining the path forward so great I'm.

15:27:31 Seeing lots of hands, Lisa, and then Claire, and then Anne

15:27:41 I mute myself. Okay. actually, Vivian took one of my points.

15:27:47 So that was good and you know really in the interests of of protecting people's autonomy.

15:27:54 We're always looking for less restrictive alternatives and clearly supported decision making is something that we definitely need to be looking at.

15:28:01 I was wondering and and garlic. That was a really terrific presentation.

15:28:06 Such a hard, a complicated issue to explain I was wondering if yeah, in talking about less restrictive alternatives, I think there's a lot of confusion about limited conservatorship. So i'm wondering if you could just explain

15:28:18 that, especially since there's legislation around that i'm not an expert on that particular type of conservatorship.

15:28:26 What I do know about my most of the public guarding conservators don't do limited conservatorship in my 30 years as a public guardian conservator.

15:28:34 I don't I don't remember having one I might have had one early in my career.

15:28:38 But for the most part. we don't do them they're generally for individuals who have a developmental disability, and it's specific to a given issue.

15:28:47 So, for example, if that person, and maybe james is a better person to describe it than I am. but it's it's usually around a given issue.

15:28:57 That the client has I and I can't honestly think of any samples that's why i'm wondering if James has any experience with that.

15:29:06 Just I think you're doing a great job exactly usually I would say, my familiarity is, we represented in probate conservatorship.

15:29:13 So I haven't actually represented in limited but it's coming Typically, clients who are utilizing the regional center, and then are coming of age.

15:29:21 The typical case, i'd say and then the powers are broken up into 7 areas.

15:29:26 I can't give them off. the top of my head but then each power has to be justified to the judge the chord, so you can now ask for 4 of 7.

15:29:33 You can ask for 2 of 7, you can ask for 7 of 7.

15:29:36 Yeah, so I that's my understanding it's very narrow it's like a a probate conservatorship is really broad.

15:29:44 We have the powers to do most anything that that the person would do for themselves.

15:29:49 You know, self their property. If we have a state powers, make medical decisions, end of life decisions, decide where they live, decide how much money they get.

15:30:00 We we have full powers for all the person's life whereas with limited conservatorship.

15:30:05 It's just that it's very limited to a given area that that client is having difficulty in their lives with. Thank you, super Helpful explanation with all of that and again.

15:30:17 I I can see the importance of consistent training across the State.

15:30:21 Both, for you know the the delivery system to understand the options, but also for consumers to understand their rights.

15:30:28 So, Claire, from our colleague at Dss.

15:30:32 Thanks, Sarah. thank you, Scott, for the presentation.

15:30:34 Just 2 things that are really occurring to me.

15:30:37 And Claire Ramsey Cdss as Sarah mentioned

15:30:41 One is really thinking about how we've started to I think talk more thoughtfully about the continuum of like housing solutions for older adults and people with disabilities, and really talking about how the continuum works and

15:30:55 builds, and how people don't, necessarily only have to go in one direction along the continuum sort of from independent living into, you know, maybe eventually skilled nursing and that the the continuum can be more flexible than that

15:31:08 and so just listening to what you're all saying it really feels like there's also a place to really have this conversation about the continuum of you know legal capacity, because it's not you know fixed for us to

15:31:21 sort of understand that that people can move around with that distinction of whether they have full legal capacity, and or if they've gone all the way to losing all capacity.

15:31:33 And then, you know, when people can come back and move along the system. So just I think there's just and it's overlaying right? cause. Obviously, people in skilled nursing can have full decision, making capacity, people living

15:31:43 independently may be have lost some capacity so I just think it's another piece of the framework for us to be and then i'll just say that thank you.

15:31:55 These have been 3 great presentations today, and it just makes me think that maybe in a future a future meeting, us having a presentation on to supported decision making would make a lot of sense.

15:32:08 And I do wonder about having someone from the developmental disability community come in and have a conversation about limited conservatorship.

15:32:16 So we have a better understanding of that framework as Well, because That's what I'm not as familiar with either.

15:32:20 Thank you, Clara. excellent suggestions and kind as I was saying in chat, I don't think we're at a shortage of issues to work on in this committee, so I think we'll be continuing to

15:32:32 focus on on on where the areas are that we can place our our attention.

15:32:38 I believe. Was there one more question? I thought there was somebody else that had their hands raised?

15:32:44 Oh, yes, yeah. I just had my hand raise

15:32:49 I i'm an attorney at the judicial Council, and I wanted to just follow up on that.

15:32:53 I did put the 7 areas for limited conservatorship and at the chat.

15:32:57 If people are interested, we do have a lot of materials for that process

15:33:03 So if that's something people are interested in happy to talk about more.

15:33:08 And I did want to follow up on on scroll. it's excellent presentation with the part of this.

15:33:17 This. This is a good time to be having that conversation, as things are changing.

15:33:21 So, for example, and talking about probate, and this is both limited and general.

15:33:27 You know, av 1194 was mentioned in one of the earlier presentations that changed the burden.

15:33:35 So now no longer a person has has the burden to show they don't need it.

15:33:39 Anyone who objects to a petition for termination has a burden to show.

15:33:46 The person still needs to consume and so that's something that people are not used to as well as different duties for a attorneys, and that's an area where I think there's a lot of training, possibilities.

15:34:00 Great. Thank you Anne. it's wonderful to have you here we are so pleased, and we would love you.

15:34:06 Know, I I think you're interested in being kind of a liaison to judicial council.

15:34:11 We would we welcome that and we'll bring you into these discussions.

15:34:16 I think that there's a lot that you know you can be helpful with in terms of navigating these these issues and the discussion.

15:34:22 So we look forward to following up at this point we really are we're gonna move forward.

15:34:28 I think there's a lot of going to be a lot of questions about how we transition from these really critical priority areas, each of which could probably be the basis of the work for this committee for the year ahead on their own But we have to figure

15:34:44 out how we want to construct the work and align it with that really important gap analysis work that Achilles and Andrea are leading.

15:34:53 But in the meantime the near term priority is the exciting opportunity with our California for all ages and abilities.

15:35:01 Day of action on September twentieth that Amanda will be speaking to now and then.

15:35:07 We will have a little discussion on how how to take the work that has been presented today, and utilize it as the platform for the meeting on the 20, and We will you know continue that conversation, but i'm really

15:35:23 pleased that Amanda is here to provide this update.

15:35:28 Good afternoon. Everyone i'm the project director for california's Master plan for aging.

15:35:33 I've spoken, you know, at each meeting thus far and last meeting.

15:35:36 I was joined by Andy and Porado, who is executive Director of Disability Rights, California, but also a member of the implementing the master plan for aging in California Together Committee.

15:35:50 The impact committee we've talked about this before and I hope that I have been able to put this day of action on everyone's calendar.

15:35:59 If you haven't been invited to it on the calendar, please just oversight on our our end.

15:36:05 So please let me know if you need me to send that to you.

15:36:09 I also have probably emailed everyone here at least twice about registering for the event, anyway, which will also put it on your calendar.

15:36:14 Please, if you haven't registered yet go ahead and get registered.

15:36:21 It. It is filling up fast within just 2 days. I think we hit over about 200 registrants.

15:36:28 So you know we do have a Max capacity we cannot accommodate more than 500. It would be amazing if we got 500.

15:36:36 So I wanted to talk a little bit about what we need to do to prepare for this day of action.

15:36:45 And as we discussed last time. we're really looking for every single one of the aging disability related committees in California, and there are 8 of them who will each present their platform comprise of 2 to 3

15:37:01 priority recommendations to the Administration for inclusion in the Master plan.

15:37:07 In 2023, and 2024 So our expectation. Our hope is that everyone can attend in person.

15:37:16 It's at the sacramento convention center The event starts at 8, 30 for stakeholder committee members.

15:37:22 So there's going to be plenty of time the actual program starts at 10, but between 8, 30 and 10 you have an opportunity to register as well as join your fellow committee members for a bit of a meeting greet and essentially your

15:37:36 fall meeting and preparation for the platform. you will be presenting later in the agenda.

15:37:43 We also ask that as we go through this process, that the committees submit their agenda items.

15:37:52 By the end of August, so a little over a month from now we've already, you know, discussed so many priorities.

15:37:58 It's there's a lot to work on but as Sarah said. Short term. What are those top things that you want to see in the master plan for aging specifically for implementation over the next 2 and a half years I

15:38:12 am also lucky that I have eric dowdy here. who has been volunteered to help heard this process. What? Yeah. What I've suggested to other councils is a work group for every recommendation or one

15:38:29 lead work group to sort of steer the recommendations across the different priority areas.

15:38:34 So this time we have set aside Probably probably only have maybe a little bit under 10 min is for you to show your thoughts on how best to organize all the work you've talked about today, and what parts you're going to tease

15:38:48 out for September twentieth thank you Amanda. that's super helpful.

15:38:52 And now i'll just say too. I mean each committee will have 7 min, so I can see that people are probably thinking, How do we get everything out in 7 min right?

15:39:01 But, as Amanda said it's thinking, about, what are the near-term priorities, and you can couch it in the context of a longer term priority of system. change.

15:39:10 Right. So I think that we already have 3 priority areas that you all have been looking at, and there might be ways to organized within that. and you could have cross-cutting themes. across age like data you know, system connectedness

15:39:24 partnerships are. However, you want to organize it.

15:39:27 But before we ask for feedback on how to organize we also have to have some time for public comment.

15:39:34 But Eric i'd love to turn to you and see if you have thoughts given that you've been volunteered to help with this process before the end of August.

15:39:45 Any thoughts that you have as 2 next steps. Yeah, I would.

15:39:49 Really love volunteers to develop those work groups. I think we could probably accomplish this in a couple meetings between now and the end of August and get recommendations through.

15:40:02 Maybe something like a Google survey. So if there's a willingness to do that.

15:40:06 I think we could, you know, work in that direction. I just need to get, I think, some the core group to start.

15:40:12 Maybe we can expand from there, but that's what I would love to see happen.

15:40:16 I think that might help the most at this point. Okay, Great.

15:40:18 Thank you for that. If the thoughts that other committee members have Homer.

15:40:31 Okay, I mean the goal of this is to not make it more difficult.

15:40:35 It's to basically highlight you know the the top issues that you think need to be addressed in the next round or iteration of the mpa

15:40:46 And then we take that internally, and consider what we might be able to do with that, and build it into the master.

15:40:52 Plan it Doesn't. mean that what you put on those priorities are going to limit you to the work that you're doing over the next 2 years like you can still explore a range of issues and policy recommendations through this committee

15:41:05 but it's more what right now do you want to put on the radar for the master plan.

15:41:09 If people are interested in kind of being part of the lead group that helps flush this out. i'm gonna guess, Eric, that we might even be able to hammer it out with within 1 h long meeting because I feel like we

15:41:23 have a lot that you all have already presented just through this meeting, and it could be just a way to kind of summarize it.

15:41:31 I'm happy to help out with that eric however, you'd like but if you are interested in being part of that process, please put your name into chat now.

15:41:42 That would be really great, because we want everybody to have their voice heard through this process.

15:41:55 Let's see here, any any other thoughts from committee members, or Amanda any other thoughts from there.



15:42:04 Otherwise we will follow up with next steps. and we hope to see you all on the twentieth for sure.

15:42:12 In the in the Thank you all. I see a few folks raising their hands.

15:42:16 We will, we will note who that is that is following up.

15:42:21 And we will set up a time with eric's assistance in terms of when it works for him, and and how to proceed from here.

15:42:30 Okay. So at this time we now have public comments. before we make our closing remarks.

15:42:38 Any members of the Pu May Maria i'll turn it to you to help us out on this end.

15:42:42 And thanks, Sarah. it does look like we have. Exc Excuse me.

15:42:45 A couple of people with their hands raise just as a reminder.

15:42:47 If you joining us by phone that key is star 9 and that will add you to the queue and we'll unmute you, and if you're joining us by webinar there is a raise hand icon on your

15:42:57 toolbar also welcome to engage via the Q. and A.

15:43:01 I think most of the comments that have been submitted have been made public, or committee members have responded to them.

15:43:06 So feel free to check that out at your Leisure and for now we'll turn to Judy Judy. Go ahead.

15:43:15 Thank you so much. this is Judy Mark. I am the President of disability.

15:43:21 Voices united, which is a statewide organization, directed by people with disabilities and their family members. I'm, also the parent of a 25 year old son, with autism, who has significant support needs and is and practices supported

15:43:36 decision-making, and is not going served, you know.

15:43:39 I wanted to express my concerns about some of the information that has been provided around the conservatorship issue. the you know.

15:43:51 First and foremost I I love the name of the council that it is a Disability Justice Council. but I feel like when you're talking about conservatorship.

15:43:59 You're not doing it within the context of disability justice, because if you were, you would be talking about the fact that people would.

15:44:07 Disabilities are having all of their rights taken away through the conservatorship process, and we should be thinking about empowering people with disabilities. and and people who are suffering from aging disabilities and trying to

15:44:21 reduce those numbers substantially by offering alternatives and by educating family members and others.

15:44:31 About these alternatives. I also wanted to clarify the questions people were asking about limited conservatorship.

15:44:39 So living in conservatorship is people with intellectual and developmental disabilities.

15:44:45 However, the vast majority of people in in in limited conservatorships.

15:44:51 Have all of their rights taken away. All 7 powers are taken away from them.

15:44:56 So in theory. you're you're looking at Oh, it's just for one little thing it's just for the the finances.

15:45:04 Or it's just for the health, care but that's not the way it plays out in fact, it plays out where all the boxes are checked and and in fact, there was a time when they were even taking away people's

15:45:14 rights to vote and they still do that by the way in in occasion. So you know, I don't want to have it look like Oh, but limited conservatorship is okay for people with developmental disabilities, because it's only a little

15:45:26 thing, and these people can't really make decisions Anyway, please make it sound like that community is, is is okay in this process that it is also civil rights problem for them, and as well as with others who are in the full conservatorship So you know i'm really

15:45:45 hoping that in the future as you're considering the issue of conservatorship you're looking at it from a disability. Justice lens, that you listen to people like Howard and others with disabilities because they should

15:45:56 be at the center of all of this. Thank you so much.

15:46:00 Thank you so much, judy that's really important considerations and you know, I I think that something I did here was that the server ship is absolutely the last resort, but it is very important to hear that perspective.

15:46:14 And we appreciate your speaking up on that. Any other public comment.

15:46:20 Yeah, looks like we have a hand raised. Maureen Sullivan.

15:46:25 You may need to unmute, but your line is open.

15:46:29 I did not my hand up. That was an error I'm Sorry. Oh, that's okay. Okay, i'm not saying any additional hands raised couple of highlights from the Chat Lisa Lisa shared some

15:46:50 resources that's in the Q. a if you guys wanna check that out

15:46:56 Lots of conversation around limited conservatorship there.

15:47:00 Lots of consensus around some of the comments that have already been made.

15:47:05 And Sarah I will turn it back to you and see if there's something else you want to do with the next 10 min.

15:47:11 I'm i'm not seeing any hands okay well that's super helpful.

15:47:14 Then I think, you know, we had a lot of hands raised in comments.

15:47:18 I just want to try it back to our accounts, our members in Council to see if there are any other comments or considerations, whether whether in relation to the issues race today, or whether in relation to next steps for the day of action and

15:47:34 scarlet. I see your hand raised. I just wanted to respond to a question in the Q.

15:47:41 A someone asked, What about Heidi asked, What about the expense occurred by the elder to fight an unwanted conservatorship?

15:47:50 If someone files a petition for conservatorship and the elder or anybody doesn't want the conservatorship, the court will point an attorney for that client, If the client doesn't have any

15:48:03 funds. then the client doesn't have to pay for it.

15:48:06 The court will cover that. So just be aware that you can ask the court to a point.

15:48:10 An attorney for that individual at no cost. Thank you for that.

15:48:16 So much Vivian. I also wanted to highlight you know now that we're we've kind of discussed the you know, differences between limited appropriate conservativeship.

15:48:31 I think this really, you know emphasizes one of the 5 equity guiding principles that we put into our document, and it's number 4, which is that we acknowledge that while older adults and adults living with disabilities have

15:48:45 many overlapping. interests they're distinct communities and any policies examined by this council should examine the impacts to each community.

15:48:56 So I think that just bringing that up, that we have put that in our equity, guiding principles, and that's something that we are going, considering with any kinds of suggestions or reforms, that we have because we know that these

15:49:09 2 share a lot of similarities but there are a lot of differences, and I think that that will hopefully really guide any kind of recommendations that we have around conservativeship, knowing that there's a variety of different

15:49:23 people who are impacted by Conservativeship. Excellent point.

15:49:28 I love that we're going to be using the equity for framework, that you and the team developed vivian real-time as we look at these different policies, I think that's a really important point and Marty also said

15:49:40 that he thinks Judy is raising a good point in that. often processes such as limited conservatorships may not be working in the way intended.

15:49:48 Or the way is authorized by State or Federal law that goes back to the issue, no matter what solutions we put forward that a foundational next step is that any solution must be linked to a whole person centered outcome and not

15:50:01 outcomes that only measure utilization, etc.

15:50:05 So excellent points, very thoughtful consideration of all of these different issues.

15:50:10 Laura. you have been patient with your hand up bye.

15:50:14 Yes, What I was wondering that well what I would like to say is that it seems like they're talking about the limited consumership as if it's something that a person is like i'll I'll

15:50:30 just use a small example, like in jail sort of their life is in there, and they can't move around.

15:50:37 But most of the people that I come in contact with with kids, with disabilities or young adults.

15:50:44 They are. Some of them are forced to have a consumership because they have told me time and time again. when the son that's 18 years are over.

15:50:55 They go to the hospital. The good of a doctor they won't even let them be in the room with them.

15:50:59 They won't Tell them anything about their medical appointments or what's going on, or date, or if the doctor calls?

15:51:07 And you want to speak to the person they said. The first thing they say is, do you have consumership?

15:51:14 Do you have guardianship, and some of them can't afford it. Some of them don't even know exactly what it is, so.

15:51:25 Like myself. I do have consumership of my son Limited, because, you know, he was born in wouldn't have pounds, and you don't intellectually do you?

15:51:37 Need, of course, but I I had no idea that supportive supportive decision making even existed.

15:51:45 So if that's what it seems to I mean the way I see it is is the people that are talking about it.

15:51:54 They should share that with others, because i've never heard that before.

15:51:59 All i've ever heard of this conservatives general and but I've never heard of supported decision for the guardianship.

15:52:08 So that would be a good idea if you could have some kind of information for others, and a lot of bad things about consumerships and good things about it.

15:52:19 But for my decision. I I think it I think I did the right thing for my son, but, like I was saying a lot of a lot of family members seem to feel like

15:52:30 Like they don't know what to do because now they're confused with supported decision, making and conservatives right excellent points.

15:52:38 Gloria and I think i'm seeing a lot of themes about, you know, need for training and outreach and education on all of these issues and lot of misinformation. that's not intended to be

15:52:50 misinformation, but just lack of clarity on on the system, and the parameters around it.

15:52:56 So an excellent point for that. Okay, i'm just seeing if there's no more open-ended question.

15:53:04 Really I I have absolutely loved this conversation for the last 3 h.

15:53:10 I found that it went by very fast. so on behalf of the Department of Aging, I just want to say thank you.

15:53:16 So so much to our presenters, starting with Lisa and Vivian and Achilles and Andrea, and then moving into all of the presenters on the priority areas, including Lisa Coleman and Valerie

15:53:36 and Valerie Smith and James Triggeri, and then, of course,

15:53:44 Concluding with the presentation from scarlett on the public guardian and conservatorship system.

15:53:49 So just it's been It was a lot of work for for all of you to help prepare for this.

15:53:53 So we really appreciate it. What I appreciate is that you all were the ones informing us in our environment.

15:54:00 We heard from you. We use the utilize the expertise of this Council to to help advance our thinking in these spaces.

15:54:07 Clearly. we have a lot of work to do, but I think it was an excellent way to structure the conversation, and of course we always welcome your feedback on how we can use your time most effectively.

15:54:19 And, you know, meet the objectives of this group so with that i'd love to turn it over to our chair.

15:54:26 Eric, Daddy thanks Sarah, I i'll just echo the Thank you to the great expertise and the virtual room here.

15:54:34 I've learned so much just over the last 3 h I never knew so much about this area.

15:54:38 So again, thank you, and we will be in touch around the next meeting in August, and I guess that would come from Amanda or myself.

15:54:49 But there's 10 names in the list so I wanna think those those of you who step up stepped up to that, and we will look forward to seeing you very shortly to continue the conversation.