

AGENDA
ADVISORY COMMITTEE ON AGING
Friday, August 25, 2023
10:00 a.m. – 1:05 p.m.
Koebel Library
5955 S Holly St, Centennial, CO 80121

1 10:00 Call to Order and Introductions

2 10:10 Report of the Chair – Karie Erickson

CONSENT AGENDA

3 10:15 Move to Approve Consent Agenda

- Minutes of August 25, 2023, meeting.
(Attachment A)

INFORMATIONAL BRIEFINGS

4 10:20 Public Awareness and Advocacy Campaign for Future Funding – Kelly
5 Roberts, Jennifer Reeves and Rich Mauro
(Attachment B)

6 11:50 Lunch

7 12:20 Report of the AAA Director – Jayla Sanchez-Warren

8 12:35 Public Comment

9 Up to 45 minutes is allocated now for public comment and each speaker will
10 be limited to 3 minutes. If there are additional requests from the public to
11 address the Committee, time will be allocated at the end of the meeting to
12 complete public comment.

13 12:40 DRCOG Board Report

14 12:50 County Reports

ADMINISTRATIVE ITEMS

15 The next meeting is October 27, 2023.

16 1:00 Other Matters by Members

17 1:05 Adjourn

Attendees can request additional aids or services, such as interpretation or assistive listening devices, by calling 303-480-6723 or emailing mpatton@drcog.org. Please notify DRCOG at least 48 hours in advance so we can coordinate your request.

AAA Acronym Quick List

ACL/AOA	Administration for Community Living/Administration on Aging
ACO	Accountable Care Organization
ADA	Americans with Disabilities Act
ADL	Activities of Daily Living
ADRC	Aging and Disability Resource Center
AHC	Accountable Health Communities
CAC	Citizens Advisory Committee
CASOA	Community Assessment Survey for Older Adults
CCT	Colorado Choice Transitions
CMS	Centers for Medicare and Medicaid Services
COA	Council on Aging
DCOA	Denver Commission on Aging
DORA	Department of Regulatory Agencies
DOLA	Department of Local Affairs
DRMAC	Denver Regional Mobility and Access Council
F&B	Finance and Budget Committee
GIS	Geographic Information System
HB	House Bill
HCPF	Health Care Policy and Financing
HIPAA	Health Insurance Portability and Accountability Act
HTP	Hospital Transformation Project
I&A	Information and Assistance
JBC	Joint Budget Committee
LTC	Long Term Care
MDS	Minimum Data Set
MIPPA	Medicare Improvement for Patient and Providers Act
MOU	Memorandum of Understanding
NASUAD	National Association of States United for Aging and Disabilities
OAA	Older Americans Act
PACE	Program of All-Inclusive Care for the Elderly
PHI	Personal Health Information
RFP	Request for Proposal
RFQ	Request for Qualifications
ROD	Record of Decision
RTC	Regional Transitions Committee (Aging)
RTC	Regional Transportation Committee*(Transportation)
SAPGA	Strategic Action Planning Group on Aging
SB	Senate Bill
SHIP	State Health Insurance Assistance Program
SMP	Senior Medicare Patrol
SRC	Seniors' Resource Center
SUA	State Unit on Aging
VDC	Veterans Directed Care
VOA	Volunteers of America

ATTACH A

**ADVISORY COMMITTEE ON AGING
MEETING SUMMARY
Friday, August 25, 2023**

Members Present

Ada Anderson	Douglas County
Andrea Suhaka	Arapahoe County
Barbara Boyer	Arapahoe County
Bob Brocker	At Large – Denver
Cathy Noon	Arapahoe County
Connie Ward	Jefferson County
Dave Appel	Jefferson County
Dawn Perez	Adams County
Donna Mullins	Jefferson County
George Teal	DRCOG Board – Douglas County
Gretchen Lopez	Douglas County
Jim Dale	Former DRCOG Board – Golden
Houston “Tex” Elam	At Large – Arapahoe County
Phil Cernanec	At Large – Arapahoe County
Shari Haidvogl	Clear Creek
Steve Conklin	DRCOG Board – Edgewater
Tom Mahowald	DRCOG Board – Nederland
Valerie Robson	At Large – Jefferson County
Wynne Shaw	DRCOG Board – Lone Tree

Guests Present

Allison Cutting, Douglas County

DRCOG Staff Present

AJ Diamontopoulos, Senior Management Analyst, Ashley Bolton, Ombudsman, Cindy Grainger, ADRC Administrative Assistant, Doug Rex, DRCOG Executive Director, Erika Dubray, Community Resource Manager, Erin O’Neill, Community Resource Specialist, Fonda Buckles, ADRC Manager, Jayla Sanchez- Warren, AAA Division Director, Jennifer Reeves, Veterans & Community Options Manager, Kelly Roberts, Community Resource Specialist, Kelsey Vander Veen, Caregiver Program Coach, Kelsie Jurin, Community Resource Specialist, Malorie Miller, Program Manager, Mindy Patton, Division Assistant, Sherri Welch, Case Manager

Bob Brocker Committee Vice Chair – Called the meeting to order at 11:01 a.m.

Public Comment Period (Non-ACA Members)

Allison Cutting from Douglas County informed the committee that Douglas County is doing an older adult initiative that was put forth by the Douglas County Board of County Commissioners. Douglas County is completing approximately 12 listening sessions. Allison said they are getting good feedback and finding that older adults are very appreciative of the sessions. Douglas County will also do a residence and provider survey. Their plan is to incorporate this information with their CASOA report.

Report of the Chair – Karie Erickson

Chair Erickson was away, there was no report of the Chair.

Report of the AAA Director – Jayla Sanchez-Warren

- The ACL is updating the regulations to the Older Americans Act (OAA) and are seeking comments. Jayla and AJ Diamontopoulos are working with USAging and CTAC to provide comments on various rules outlined in the OAA.
 - Comments range from nutrition requirements to the definition of at-risk adults.
 - When the OAA was reauthorized, there was also a request for additional funding. The funding request was denied, which adds more of a burden to implement the changes in the new regulations.
- The new federal lobbying firm has done a good job keeping DRCOG up to date on legislation at the federal level they are following these bills:
 - When the legislature comes back into session the hope is they will pass the Reauthorization and Modernization of the Elder Justice Act. If passed it will provide additional funding for the Long-Term Care Ombudsman program, and funding to area agencies on aging to reduce social isolation.
- Colorado Association of Area Agencies on Aging (c4a) sent a letter to the Governor asking for a \$5 million increase to funding for all the Area Agencies on Aging (AAA) in Colorado. Additionally, they requested there be a formula that would increase the amount to correspond to inflation and population growth.
- Rich Mauro and the state lobbyists are meeting with Joint Budget Committee (JBC) members to discuss the funding. Jayla will be participating in some of these meetings.
- Jayla and Rich along with other DRCOG staff are strategizing on a public awareness campaign to inform people about the funding shortage and the importance of community-based services.
 - Jayla is trying to enlist community partners, DRCOG contractors and others to advocate and educate in anticipation of the loss of approximately one third of the AAA budget in 2025.
 - She is in the process of engaging clients and caregivers, gathering client stories, and client videos from those who want to talk about how important the services are for them.
 - Jayla and AJ are working with Zack Feldman of DRCOG's Regional Planning and Development division to collect data on trends and demographics to show legislators and other partners.
 - Sharon Day's team is developing scenarios of what it might look like in 2025. These scenarios will be shared with the ACA at a later date.
 - Jayla is also working with the other AAA's in Colorado to help coordinate a consistent message regarding funding and Sharon Day did a training for the AAA's on how to project forward to give the budget scenarios needed.
 - Jayla will attend the Volunteers of America legislative breakfast and Seniors Resource Center's legislative barbeque, No CoPay Radio, and other media to promote the message.

- The c4a asked the State Unit on Aging (SUA) to support the AAA's funding efforts with the Governor and legislators. SUA declined support in a letter stating they could not support the efforts because the AAA's have carryover funds.
 - Typically, the state does not allow any carryover funds, but 10 percent of federal funds can be carried over. DRCOG has budgeted all carryover through 2025
 - Due to COVID, AAA's received a large amount of funding in 2021 and 2022. During those years, the state eliminated their carryover requirements and allowed DRCOG to carryover funds. The State then directed them to spend COVID money first, State dollars second, and finally Federal dollars. Because Sharon had the insight to manage carryover during that time, DRCOG was able to extend services longer knowing that the regulations would go back to the old carryover requirements. Those funds will be spent by the end of 2024 causing the fiscal cliff.
 - Since DRCOG is 48 percent of the AAA funding for the state this also affects the other AAA's in the state. Jayla and Rich will be addressing the state's concerns.

Move to approve consent agenda

Items on the consent agenda included: June 23, 2023, meeting summaries.

Tex Elam motioned for approval. Andrea Suhaka seconded the motion; the consent agenda was unanimously approved.

Agendas and summaries are posted on the DRCOG website located at <https://drcog.org/calendar> from there choose the month and date of the meeting, click on the event. Once clicked, you will find the link to the meeting for that month.

Informational Briefings

Briefing on New Accessibility Requirements and the Effects on the AAA – Ashley Summers

Ashley Summers the Director of Strategic Implementation at DRCOG presented information about the Colorado Accessibility law, and how that will affect DRCOG and the AAA.

- HB21-1110: Colorado Laws for Persons with Disabilities can be found at the link below <https://oit.colorado.gov/hb21-1110-faq>. This law is more stringent than previous rules and exposes state and local government to penalties for non-compliance. As quoted by the Governor's Office of Information Technology Operations (OIT) memorandum on accessibility "Every person who contributes content to a website or application; develops or manages IT products and services; and every government entity employee who creates and shares emails, documents or presentations is responsible for making it accessible to everyone."
- SB23-244: The link to the Technology Accessibility Cleanup Act can be found at https://leg.colorado.gov/sites/default/files/2023a_244_signed.pdf. This bill reduces penalties to remove "per person, per incident" language, but does not reduce the scope of HB21-1110.
- Rulemaking for this new law will be done in the Fall/Winter of 2023 and DRCOG will be actively involved in the process to see if they can get clarification, and further clean up or refinement through the process.
- Deadline for compliance is July 1, 2024. DRCOG is working on how they can pursue compliance and mitigate any unintended consequences or negative effects.

- The law permits any individual to bring a civil action against noncompliant government entities. Government entities found to have engaged in discrimination could be subject to:
 - A court order requiring compliance.
 - Monetary damages.
 - Attorney’s fees.
 - A statutory fine of \$3,500 per violation

Ashley’s presentation is attached for further reading on how this will affect DRCOG and the AAA, it provides some examples of what will be looked at for compliance and DRCOG’s approach to achieving compliance.

Board Report – Steve Conklin and Wynne Shaw

Steve Conklin

- DRCOG Board Chair, Steve Conklin, said the DRCOG Finance and Budget Committee gave approval for Doug Rex to negotiate a contract with a consultant for the regional housing strategy.
 - DRCOG is helping to produce a regional strategy and assess what is available to prepare for the next legislative session.
- DRCOG Board approved the FY 2024 - 2027 Transportation Improvement Program. The document governs where spending of transportation dollars will go. There were also updates on the Front Range passenger rail district and the transportation program distribution formula.

County Reports

Douglas County – Gretchen Lopez

- Gretchen thanked Jayla for letting her speak on No CoPay radio to advertise their Vintage and Vibrant event. The event will be on September 28th from 8:00 a.m. to 3:30 p.m.

Jefferson County – Donna Mullins

- Donna announced the retirement of Cary Johnson. Dave Appel will replace Cary on the ACA committee and Donna will now be the representative from Jefferson County for the Funding Subcommittee.

Other Matters by Members

- Wynne Shaw informed the committee that Sky Ridge Medical Center celebrated their 20th anniversary. They were the first hospital in Douglas County and there are 56,000 people who have been born at the hospital.

Next meeting – In person September 22, 2023, Koelbel Library, 5955 S Holly St, Centennial, CO 80121.

Adjournment

The meeting was adjourned at 12:36 p.m.

Adjournment

The meeting was adjourned at 12:36 p.m.



Colorado Association of Area Agencies on Aging (C4A)
PO Box 2308
Silverthorne, CO 80498

Dear C4A Association Members:

Thank you for your letter dated August 1, 2023 submitted to the Governor for the FY 2024-25 budget regarding Colorado's Area Agencies on Aging statewide supporters funding request.

I appreciate C4A, DRCOG and others' continued commitment to the citizens, and more specifically our older adults, in the state of Colorado.

As a follow up to my conversation with members of DRCOG, Rich Mauro, Jennifer Cassell and Christine Vogel, I want to reiterate that CDHS and the Office of Adult, Aging and Disability Services cannot take a position at this time on the request outlined in your letter.

As I mentioned on our call, it is the responsibility of CDHS to ensure that the services provided through our SUA and Area Agencies on Aging have measurable outcomes and those services are delivered in culturally appropriate ways, including through the use of contracts with vendors of diverse backgrounds and lived experience..

Our State Unit on Aging, which oversees the administration of the programs and services funded by the Older Americans Act (OAA) and the State Funding for Senior Services programs provide congregate meals, home delivered meals, transportation, assisted transportation, homemaker, chore, personal care, caregiver services, legal assistance and ombudsman services across the state. We know these services help older Coloradans age-in-place in their communities and, in some cases, they are a factor in postponing or avoiding more costly placements for them such as assisted living facilities or nursing homes. This aligns with one of our enduring goals here at CDHS - the wellbeing and safety of Coloradans.

One question we mentioned on our call that we would like to see addressed concerns the percentage of carryover (unexpended) funds the AAA's have had over the past seven years. This percentage ranges (for all sixteen AAA's) from 13% in SFY2017 to 50% in SFY22. While understanding the nuanced differences, and that these carry over amounts vary by OAA Part, by Region, by year, and also due to the influx of stimulus dollars, we would like to discuss how

we can reduce the amount of carryover funds as we move forward, thereby ensuring service gaps and provision of service needs are being met.

I welcome a continued discussion and can make myself available to meet again in the very near future.

Sincerely,

Yolanda Webb

Yolanda Webb

Director, Office of Adults, Aging and Disability Services

Colorado Department of Human Services

Colorado Accessibility Law

Opportunities and challenges

Ashley Summers, director of
strategic implementation

Colorado accessibility law

HB21-1110: Colorado Laws for Persons with Disabilities

More stringent than previous rules and exposes state and local government to penalties for non-compliance.

SB23-244: Technology Accessibility Cleanup

Reduces penalties to remove “per person, per incident” language. Did not reduce scope.

- Rulemaking – Fall/Winter 2023
- Deadline for compliance – July 1, 2024

Colorado accessibility law

“Every person who contributes content to a website or application; develops or manages IT products and services; and every government entity employee who creates and shares emails, documents or presentations is responsible for making it accessible to everyone.”

Governor’s Office of Information Technology
Operations memorandum on accessibility

Colorado accessibility law

Applies to **“any content that exists in digital form.”**

- External digital communications including, but not limited to, web, video, email messages and PDFs. (Anything created for the public.)
- Internal digital communications, documents and resources including, but not limited to, intranets, software, and tools. (Anything used by a DRCOG employee.)

No exemptions for technology developed by third parties.

Governor’s Office of Information Technology
Operations memorandum on accessibility

Colorado accessibility law

Individuals with a disability may bring a civil action against noncompliant government entities. Government entities found to have engaged in discrimination could be subject to:

- A **court order** requiring compliance.
- **Monetary damages.**
- **Attorney's fees.**
- A statutory fine of **\$3,500** per violation.

— Governor's Office of Information Technology
Operations memorandum on accessibility

Examples of accessibility considerations

- Use sufficient color contrast between text and background.
- Do not use color as the only way to convey information.
- Add alternative text (alt text) to visuals.
- Think about reading order.
- Avoid ableist language such as “as you can see.”
- Design simple tables without split, merged, or nested cells.
- Leverage accessible functionality already available such as:
 - Headings and styles
 - Bulleted and numbered lists
 - Save as accessible PDF

Options already
available in Microsoft
Word

DRCOG objectives

- Adhere to the spirit of the law by taking steps to **integrate accessibility** into how our organization functions.
 - Accessible communications don't just benefit people with disabilities, they're **better for everyone**.
- Comply with the letter of the law to **limit negative impacts** (like penalties).
- **Continue communicating** per our mandates.
- **Continue contracting** for community-based services.
- Use limited **resources** wisely.

Example: accessible publication

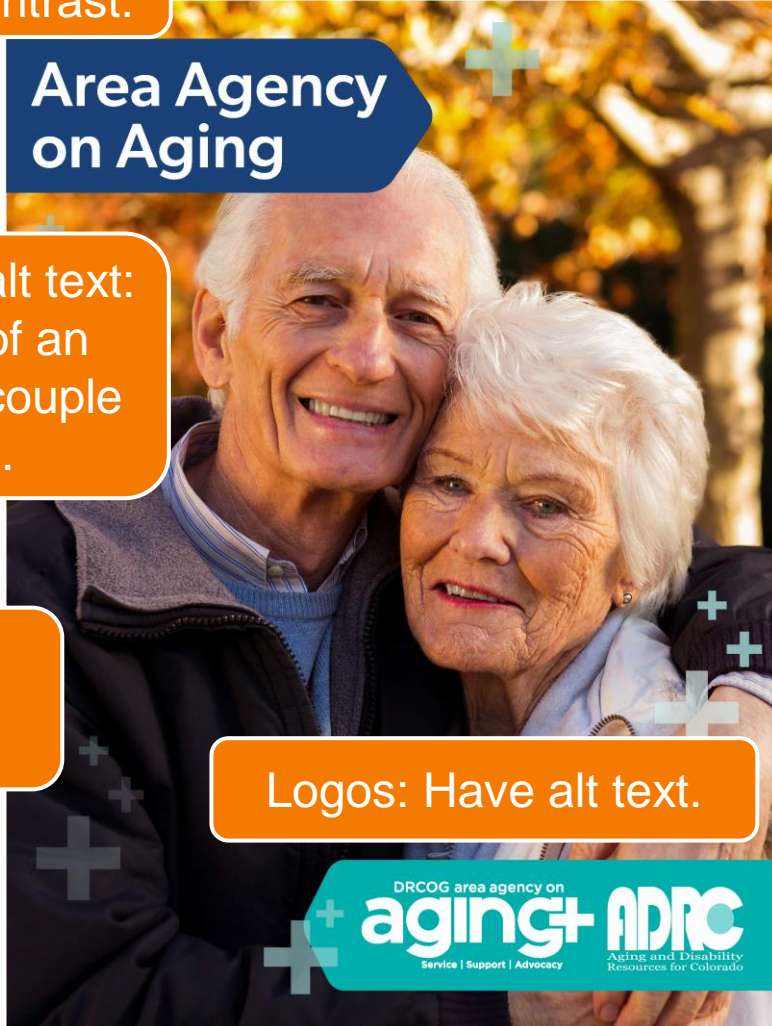
Text: White on navy has sufficient contrast.

Area Agency on Aging

Photo: Has alt text: Close-up of an older adult couple smiling.

Plus signs: Have been marked as artifacts.

Logos: Have alt text.



Community Options (Transitions) • 303-480-6838

Transitions counselors educate eligible Medicaid members living in nursing homes, regional centers and intermediate care facilities about community-based living options. Members receive options counseling to support decision-making and may enroll in Medicaid Transition Services.

Veteran-Directed Care • 720-278-2351

Veteran-Directed Care helps veterans of all ages live independently in their homes and communities. Area Agency on Aging case managers serve as the veteran's primary source of support, and can provide help for veterans who are isolated or whose caregiver is overburdened.

Case managers help veterans obtain services that allow them to live safely at home, including help with bathing, getting dressed, preparing meals and managing medications. Eligibility is determined through the Department of Veterans Affairs.

Older Adult Refugees and Friends • 303-480-6786

In partnership with the Colorado Refugee Service Program, DRCOG's elder refugee program helps older adult refugees decrease their social isolation, increase integration experiences and build community connections. Activities promote health,

Text: Dark teal on light teal has sufficient contrast.

The Denver Regional Council of Governments

is the federally designated Area Agency on Aging and Aging and Disability Resource Center for Colorado for eight counties: Adams, Arapahoe, Clear Creek, Douglas, Gilpin and Jefferson, the City and County of Broomfield, and the City and County of Denver.

DRCOG **connects** older adults, adults with disabilities and **information** and **services** to help them to remain in their **life** in long-term care facilities.

Text: White on dark teal has sufficient contrast.



Contact Us:

Don't know where to start? Call 303-480-6700 to speak with a community resource specialist. Assistance is available in multiple languages.

AreaAgencyOnAging@drcog.org
drcog.NetworkOfCare.org
drcog.org/aging



Setting expectations

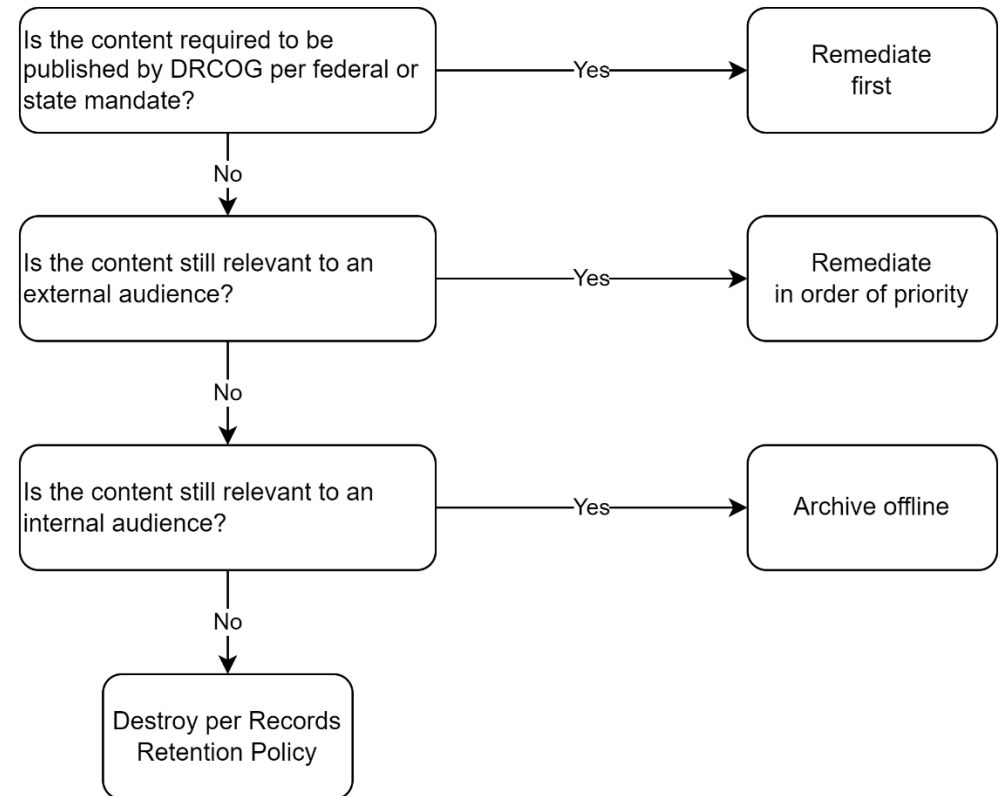
- The **scope** of the law is extensive and includes:
 - Websites and applications
 - Digital documents and emails
 - External-facing and internal-facing
 - Administered by third-party
 - Past, present, and future
- Considering the law as currently written, DRCOG will need to **extend significant resources** to achieve full compliance by the deadline.

DRCOG approach

- **Inventory** – itemize the products that are subject to the law.
- **Assess** – determine which products need remediation.
- **Prioritize** – develop a strategic order for remediation.
- **Mitigate** – reduce the negative impact for products that are not remediated by the deadline.
- **Prevent** – implement training and develop policies and procedures that ensure newly created products are accessible.
- **Intent** – make a good faith effort to comply.

DRCOG approach - status

- **Inventory** – starting with our external-facing website, drcog.org
- **Assess and prioritize** – developing criteria with DRCOG’s senior management team.



DRCOG approach - status

- **Mitigate** – reaching out to partners such as Colorado Counties, Inc., Colorado Municipal League, Colorado Association of Area Agencies on Aging, and local governments to develop talking points to deliver during rulemaking related to anticipated impact and potential solutions.

DRCOG approach - status

- **Prevent** – developing resources for staff like accessible templates and trainings.
- **Intent** – developing accessibility statements that provide information now on how to seek accommodations for inaccessible content.

Challenges for the Area Agency on Aging

- **High volume** of documents, videos and emails that need remediation, including translated versions.
- Funding is already inadequate to address the need and a “**fiscal cliff**” is approaching.
- Remediation options for **third-party sites** like Network of Care are currently unknown.
- Unclear if requirements are passed down to DRCOG’s community-based service **subcontractors**, and if so, what happens if they cannot meet them.

Call to action

- DRCOG needs your help during rulemaking and the next legislative session to ensure the law does not have negative, unintended consequences.
- Talking point examples:
 - Cost and effort to remediate exceeds available resources.
 - Risk of financial penalty could incentivize communicating less.
 - Address these challenges by reducing the scope.

ATTACH B

To: Chair and Members of the Advisory Committee on Aging

From: Kelly Roberts, Community Resource Specialist, kroberts@drcog.org

Meeting Date	Agenda Category	Agenda Item #
September 22, 2023	Informational Briefing	4

SUBJECT

Public awareness and advocacy campaign for future funding.

PROPOSED ACTION/RECOMMENDATIONS

N/A

ACTION BY OTHERS

N/A

SUMMARY

DRCOG staff will provide an update on the progress made on the public awareness campaign and seek input from the committee for the contents of the toolkit.

PREVIOUS DISCUSSIONS/ACTIONS

At the August 25th meeting DRCOG staff updated the committee on the status of the letter sent to the Governor requesting a funding increase for community-based services statewide and the introduction of a DRCOG public awareness campaign.

PROPOSED MOTION

N/A

ATTACHMENT

N/A

ADDITIONAL INFORMATION

For additional information please contact Kelly Blair Roberts, Community Resource Specialist, at 303-480-6787 or kroberts@drcog.org.