

## President's Message



**R**esidents of Florida continuing care retirement communities (CCRCs) refused to be marginalized and formed the Florida Life Care Residents Association (FLiCRA)

more than 27 years ago. With determination FLiCRA has continued to move forward to be a rightful part of decisions made, or not made, in our best interests. FLiCRA leadership and members have shown that age is no hindrance in assessing and setting priorities and following through with the best actions to fulfill FLiCRA's mission and goals. This was well demonstrated throughout FLiCRA's annual Board of Directors, Delegates and Membership Meeting held in November.

Priority issues for discussion were reflected in the substantive agenda as those in attendance were apprised of what the Board had done during the past year, what was now being done, and what was planned to be done in the days and year ahead.

The major topic was covered by Executive Director Bennett Napier with a presentation of the Florida 2018 Legislative Session Update. The bills filed by Senator Lee and Representative Grant are designed to strengthen the ability of the Office of Insurance Regulation (OIR) to regulate and enforce financially-related requirements of

Chapter 651, Florida Statutes. The bills filed were revisions of the 2017 proposals that OIR presented to FLiCRA and LeadingAge in early summer. Including meetings with the Governor's Continuing Care Advisory Council (GCCAC), this meant that four-way negotiations had taken place on up until the bills were filed in October. It was noted that FLiCRA's new representation on the GCCAC are two current Board members: Ramsey Geyer and Ray Neff.

We proceed with optimism for successful adoption of CCRC Reform Bills in 2018. Our optimism is not unwarranted, as we find there to be a basis for more than "a tincture of hope." Much of our optimism is justified through our ability to rely on the able assistance of FLiCRA's Executive Director Napier and Attorney Eric Thorn; both are well placed in Tallahassee and are totally knowledgeable of the state legislative process. They share many years of operating for FLiCRA in the state capital in successfully dealing with the realities of the politics inherent in the process.

The Annual Meeting also provided current information on the Governor's Emergency Power Rule for assisted living and nursing facilities throughout the state. A presentation was shown from the office of the Deputy Secretary of the Agency for Health Care Administration (AHCA).

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 2017**

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*"A Resident-Led  
 Association to  
 Ensure Quality of  
 Life in  
 Retirement  
 Communities"*

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Rules have now been developed by AHCA and the Department of Elder Affairs.

Of national legislative importance regarding the Tax Reform bill deliberations now underway, the Meeting gave opportunity to thank FLiCRA chapters for the impressive efforts made by CCRC residents throughout the state by contacts with U.S. Representatives and Senators to protest this bill's proposed elimination of IRS medical deductions.

This Annual Meeting purposely provided opportunities for input from those present, not only on agenda topics, but on several other matters that were brought before us and addressed as being of special interest or concern.

Regarding the adoption of the 2018 Operating

Budget, we feel compelled to always call attention to the fact that FLiCRA's only revenue stream is from FLiCRA dues and, thusly, the importance of maintaining and increasing FLiCRA membership.

FLiCRA's contract with Partners in Association Management (PIAM), headed up by Bennett Napier, was renewed this year for a 4-year period. Our thanks are extended to Bennett for the outstanding commitment to services and assistance provided to FLiCRA.

My thanks to the Board for the confidence placed in me by this "Braintrust" as shown by my re-election as President for a fourth and final year (following three years as Vice President). Please contact me to let me know if I can be of any aid to come to your chapter and meet with you, your FLiCRA Board and/or residents.

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## 2017 - 2018 FLiCRA State Board of Directors

**President**

Pat Arends  
Freedom Village  
jparends@aol.com

**Region 2 Director**

Ramsey Geyer  
Westminster Woods  
rgbiz2007@yahoo.com

**Region 7 Director**

Raymond Neff  
Plymouth Harbor  
ray.neff@aihc.net

**Vice President**

Diane Dalsimer  
John Knox Village, Pompano  
dianejohn92@comcast.net

**Region 3 Director**

Steve Nash  
Village on the Green  
snash5@cfl.rr.com

**Region 8 Director**

Wayne Forehand  
Oak Hammock  
1201wayne@gmail.com

**Treasurer**

Jim (James) Jandreau  
Cypress Village  
bayjoy@gmail.com

**Region 4 Director**

Louise Freeman  
Sandhill Cove  
free\_L@bellsouth.net

**Executive Director**

Bennett E. Napier, CAE  
bennett@executiveoffice.org

**Secretary**

Hugh Strachan  
St. Andrews, North  
hugh\_muff@comcast.net

**Region 5 Director**

John Dalsimer  
John Knox Village, Pompano  
dianejohn92@comcast.net

**Region 1 Director**

Vacant

**Region 6 Director**

Vacant

The Region 1 & 6 Director positions are open. Interested resident members may contact Bennett Napier, CAE at [bennett@executiveoffice.org](mailto:bennett@executiveoffice.org) for more information.

## Continuing Care Retirement Community Reform - Round Two

As was covered heavily during the spring, legislation filed earlier this year to change the continuing care laws in Florida, died without a committee hearing in either the House or Senate.

During the summer and fall, a series of meetings were held amongst various stakeholders to work on consensus legislation.

For much of the last three months, FLiCRA and LeadingAge Florida have met frequently to hammer out new legislative proposals.

Senate Bill 438 by Senator Tom Lee and House Bill 783 by Representative James Grant have been filed to put forth the most comprehensive changes to continuing care laws in Florida in the last twenty five years. Ideally, the bills will be heard in their 1st committee of reference in December. The 2018 regular legislation session is held in January and February next year.

Much of the focus for reform relates to the major problems that occurred at University Village in Tampa. The CCRC is still in bankruptcy as of printing of this issue of Resident Connection. The Community is looking for a new permanent owner.

In the University Village legal case, the owner's attorneys attempted to use the provisions of Florida Statutes 651 to legally suspend the Office Of Insurance Regulations remedial powers and then also worked to prevent the Office of Insurance Regulation from reviewing their attempted change in the General Partner role as defined in the law.

The abuse of process caused an 18 month delay which the owners used to financially drain revenues from University Village assessing exorbitant weekly management fees and then using the Minimum Liquid Reserve Fund to illegally collateralize a sale of University Village's nursing home from one shell entity to another shell entity.

The ninety two page, 2018 CCRC Bill will focus on closing loopholes, protecting residents, and providing greater transparency.

Closing loopholes by eliminating the opportunities for abuse of process that resulted in substantial delays in the University Village case. For example, language to clarify the circumstances under which OIR's remedial power may be suspended, and clarifying OIR's ability to review proposed changes in ownership or changes in the general partner.

Protect residents by providing clearer trigger for OIR review of troubled CCRCs and a preference for resident claims and clarify the permissible use of required reserves.

Provide greater transparency by improving the level of information shared with current residents. For example the bill language requires that when providers submit information to OIR related to ownership changes, they must also share the information with the residents' council.

FLiCRA members in a number of counties testified during the last two months at county legislative delegation meetings to ensure legislators understand the importance of CCRC reform getting passed this next session.

FLiCRA will send out weekly updates during the legislative session on progress on the CCRC bills as well as other bills that the association is tracking on behalf of its membership. If calls to action are required those will also be sent out to FLiCRA members.

For the most up to date version of language being proposed, visit <https://www.flsenate.gov/Session/Bill/2018/783/BillText/Filed/PDF>

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## Floridians Worry About Elder Care

Hurricane Irma greatly heightened concerns about the care of Florida's senior population. But even before the storm, Floridians were worried that not enough is being done to care for and protect the state's burgeoning senior population. (Florida has the nation's highest proportion of residents 65 and older—20%.)

The 2017 USF-Nielsen Sunshine State Survey shows high levels of anxiety about elder issues: Nursing home costs? Too high. Protection against thieving caregivers? Too little. State provision of health care for seniors? Could be better. Option of physician-assisted ending of life? Moving in the right direction.

### High Level of Concern About Nursing Home Care Costs

Nearly three-fourths of Floridians are concerned about nursing home care for themselves or a loved one. Worries are considerably higher among women than men: 44% of women are “very concerned”

compared to 28% of men. Common explanations are longer life expectancies among women and a higher percentage of women caregivers—both at home and in assisted- living facilities and nursing homes.[1]

Age matters too. The greatest worries about nursing home costs are among Floridians 55-64 years old (46%). There are two reasons. First, this age group is more aware of the actual costs of nursing home care since many are already dealing with elder relatives in such facilities. Second, they are worried from a personal perspective. Many have not saved enough money for retirement and are quite aware that they are likely to live longer than today's elderly and worried they won't live better.

Availability of funds, namely annual household income, is another factor affecting attitudes toward nursing home care costs. Anxieties are highest (41%) among Floridians in the middle income bracket (\$45,000-\$74,999).[2]

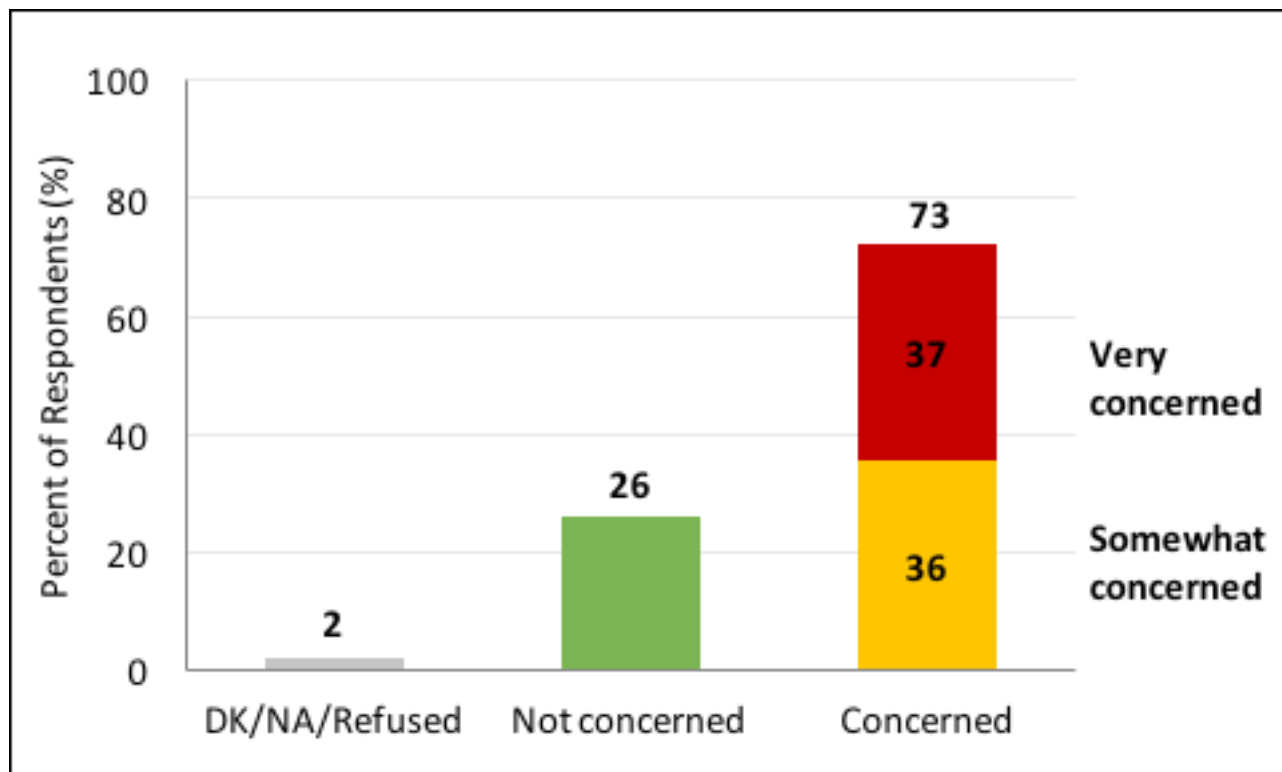


Chart: USF / Note: Figures may not add to 100% due to rounding. Source: Telephone survey of a random sample of 1,215 Floridians ages 18 and older conducted July 24-August 14, 2017. Margin of error  $\pm 2.8\%$ . 2017 USF-Nielsen Sunshine State Survey

The Orlando region has the highest proportion of “very concerned” residents (43%), driven in part by its larger share of non-college educated and lower income respondents, a large active retirement community stretching across three counties (The Villages), and a high growth retiree population in Flagler County.

**Nearly three in four Floridians are concerned about the cost of nursing home care for themselves or a loved one**

Question wording: “How concerned are you about the cost of nursing home care for a family member, a friend, or for yourself?”

**Why Important? Florida 65+ Population Projected to Grow; Plan Now!**

The 2017 USF-Nielsen Sunshine State Survey on critical aging issues offers individuals, decision makers, health care providers, and advocates a glimpse of how Floridians feel about this growing segment of the state’s population and how to care for them. Projections are that by 2040, Florida will have 6.7 million people 65 and older.[5] The last U.S. Census (2010) put the figure at 3.3 million. The jump from 17% in 2010 to 26% in 2040 makes elder-protective decisions urgent.

The USF-Nielsen Sunshine State Survey is a collaborative learning opportunity between the USF College of Arts and Sciences and The Nielsen Company, LLC., which allows USF students to gain valuable experience before graduation. Each of the students below made significant contributions to this year’s survey. Valuable input into the survey question content and structure came from all students in the upper-level Media and Politics class (Spring 2017).

*Susan A. MacManus/USF | 9/27/2017*

*Source: <http://www.sunshinestatesurvey.org/data/2017/issue-brief1-2017.pdf>*

***Presidents Message - Continued from Page 2***

I’ve said it before and I’ll say it again: the best part of being President is meeting members in chapters throughout the state.

All Best New Year Wishes go out to FLiCRA members and supporters. Be assured, FLiCRA is prepared, without trepidation, to meet the challenges of the year ahead. With an overlay of protective measures, in the quality of life for CCRC residents, FLiCRA is MAKING A DIFFERENCE.

Pat Arends  
FLiCRA President

**2018 FLORIDA LEGISLATIVE  
SESSION DATES**

**January 9, 2018**

Regular Session convenes (Article III, section 3(b), Constitution)  
12:00 noon, deadline for filing bills for introduction (Rule 3.7(1))

**February 24, 2018**

All bills are immediately certified (Rule 6.8)  
Motion to reconsider made and considered the same day (Rule 6.4(4))

**February 27, 2018**

50th day—last day for regularly scheduled committee meetings (Rule 2.9(2))

**March 9, 2018**

60th day—last day of Regular Session (Article III, section 3(d), Constitution)

**Sign up to receive FLiCRA  
Alerts and Updates by email  
at [www.flicra.com](http://www.flicra.com)**

## **Governor Scott Appoints Two New Residents to the Continuing Care Advisory Council**

TALLAHASSEE, Fla. – On August 14th, Governor Rick Scott announced appointments to the Continuing Care Advisory Council.

Dudley “Ramsey” Geyer, 71, of Saint Johns, was the former area manager of Hewlett Packard Company. He succeeds Walter Hood and is appointed for a term beginning August 14, 2017, and ending September 30, 2018.

Raymond Neff, 75, of Sarasota, is the President of Neff and Associates Home Office Services. He succeeds Charles Paulk and is appointed for a term beginning August 14, 2017, and ending September 30, 2018.

Both gentlemen are FLiCRA members and currently serve on the FLiCRA state board of directors.

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## **Governor Scott’s DOE A Programs**

Governor Scott’s Securing Florida’s Future Budget includes these specific allocations for elder affairs programs:

- \$3 million to provide services for additional elders with Alzheimer’s disease and relief for their caregivers through the Alzheimer’s Disease Initiative (ADI);
  - \$5 million for home and community-based services for more seniors at risk for nursing home placement through the Community Care for the Elderly Program (CCE);
  - \$1 million to provide services for more of the frailest individuals through the Home Care for the Elderly Program (HCE);
  - \$2.65 million to improve the Department’s client assessment processes and technology, including replacement of the 26-year-old Client Information and Registration Tracking System (CIRTS); and
  - \$876,000 for the Aging and Disability Resource Centers to assess needs and provide services to elders across Florida.
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## **Call for Resident Volunteers for the Florida Pioneer Network (FPN)**

Dr. Chris Mulrooney of the Florida Pioneer Network addressed the FLiCRA state board of directors in November. The organization is seeking five to six CCRC residents (ideally FLiCRA members) around Florida to participate in their Consumer Work Group to help provide consumer input on initiatives undertaken by the FPN. There is no travel required and work by the Consumer WorkGroup is conducted by phone several times a year.

The FPN is a coalition committed to a person-directed model of care, offering to individuals who live and work throughout long-term care the vision of supportive communities that uphold individual dignity, respect, self-determination and enable choices for residents or elders.

FPN’s vision is to foster person-centered environments that support elders and those closest to them through a culture that is life-affirming, satisfying, humane, and meaningful. FPN works to create communities where elders want to live and employees choose to work. FPN seeks to inspire long term systematic culture change that will benefit not only our parents and grandparents, but those working in long-term care and those who might need long-term care in the future.

If you are interested in getting involved with FPN contact Christopher P. Mulrooney, MPS, PhD, Assistant Dean/Chief Operating Officer at [chris.mulrooney@med.fsu.edu](mailto:chris.mulrooney@med.fsu.edu).  
Website: <http://www.floridapioneernetwork.org/>

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## Recent FLiCRA Events



Top: 2017 - 2018 FLiCRA State Board of Directors. From Left: Ramsey Geyer, Steve Nash, Louise Freeman, Hugh Strachan, Jim Jandreau, Diane Dalsimer, Pat Arends, Ray Neff, John Dalsimer and Wayne Forehand.

Middle Left: Region 7 Meeting. From Left: Bennett Napier, CAE, Beverly Hill Gaussiran, Pat Arends and Senator Tom Lee.

Middle Right: Region 7 Meeting Attendees.

Bottom: Indian River Estates, East FLiCRA Meeting. Chapter members wearing "FLiCRA Florida Watchdog" shirts created by the late chapter president, Joe Scattaregia, who passed away in November.



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## **CCRC Monthly Rate Increases for 2018 Will Average 3.1%**

Continuing care retirement communities plan to raise their monthly fees for existing independent living residents an average of 3.1% in 2018, according to a recent poll of 160 chief financial officers of not-for-profit senior living communities and financial professionals by specialty investment bank Ziegler.

The median increase at CCRCs, also known as life plan communities, has been 3% for the past five years, Ziegler said. Over that time, the highest average increase, 3.16%, occurred in 2015, and the lowest, 2.94%, occurred in 2013. The average in 2017 was 3.12%.

When answers regarding planned increases for 2018 were broken down by predominant contract type, Ziegler found that communities with type A, B or C contracts are planning slightly lower figures compared with the 2017 predictions (3.02%, 3.19% and 3.11%, respectively), whereas communities with rental contracts are planning higher increases (3.15%).

By far, respondents said labor costs were the primary driver behind the rate increases, with 126 respondents mentioning that factor. Other drivers mentioned included inflation (18), increasing food costs (13) and the increasing cost of healthcare benefits (12).

The most common type of contract offered by respondents' companies is the type C contract, also known as a fee-for-service contract, with 35.8% of respondents indicating that that type of contract is primarily offered to residents within their organization. They were followed by type A (34%), also known as a life care contract; type B (21.4%) also known as a modified fee-for-service contract; and rental (8.8%) contracts.

**Source: [www.mcknightsseniorliving.com](http://www.mcknightsseniorliving.com)**