



# The Resident CONNECTION

4th Quarter 2019

## President's Message



Happy New Year to all. As we head into 2020, you will find that we are conserving our legislative energy this year. We gave a lot of attention during the last four years to passing Senate Bill 1070 and House Bill 1033. With the

cooperation of our legislators, LeadingAge Florida, the Office of Insurance Regulation and residents of CCRCs (Continuing Care Retirement Communities) like yourselves, these measures were passed. They go into effect in January of 2020.

Our Executive Director and his staff keep us informed of legislation being proposed in this next session beginning in January that could affect us. If the need arises for us to take some action such as writing letters, sending emails, making phone calls, or even visiting Tallahassee to meet with the legislators to try to influence their decisions, you will be notified.

We had a very good turn-out of chapter delegates and members at our Annual FLiCRA Meeting in November. Thank you to the Edgewater at Boca Pointe community for hosting us so graciously. When a CCRC can extend its generosity to host events such as this meeting, it relieves the financial burden associated with its success. In addition, it gives the host community an opportunity to show itself off.

I am proud and honored to have been reelected at the Annual Meeting to serve a second 3-year term as an At-Large member of the board. I was also re-elected by the Board to serve a one-year term as your President.

After much deliberation, the Board of Directors updated and approved our Strategic Plan last spring. At the Annual Meeting the Board of Directors approved an Action Plan document that specifies the responsibilities of FLiCRA leaders at all levels including the FLiCRA Headquarters Office, the Board of Directors, Regional Directors and Chapter Presidents. This plan will be a great asset for those holding these positions since it makes clear their responsibilities.

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Representatives of The Office of Insurance Regulation (OIR) made a presentation at the General Meeting which clearly outlined the office's responsibilities, especially in light of the legislation which passed last spring. This presentation is available at [flicra.com/news/oir-presentation-to-flicra-2019-annual-meeting/](http://flicra.com/news/oir-presentation-to-flicra-2019-annual-meeting/). OIR has held a series of meetings during the last few months on administrative rule proposals and revision of "forms" that providers will regularly submit to the Office of Insurance Regulation to implement the new CCRC law that was signed by the Governor in June 2019. FLiCRA and LeadingAge Florida, as organizations, have participated in each of the meetings.

*Diane Dalsimer, FLiCRA State Board President*

## New Administrative Rules Implementing New CCRC Law Adopted by the Florida Cabinet

On December 3, 2019, at the last meeting of the Governor and Cabinet for 2019, Governor DeSantis and the Cabinet members approved the publication of the proposed revisions to the Continuing Care Contracts rule, Rule Chapter 69O-193, Florida Administrative Code. The vote was unanimous to move the rules to the next stage ultimately leading to adoption. Insurance Commissioner David Altmaier presented the request to the Governor and Cabinet to approve the proposed rules. After formal notice and publication, if no member of the public timely requests a rule hearing or if a hearing is held and no changes to the rules are needed, then the rules will proceed to final adoption.

The rules revisions were about 14 pages in length. However, the majority of the changes related to changes to the actual forms that CCRC providers use to provide required data, mostly financial in nature.

The Office of Insurance Regulation held two rule workshops and several conference calls on the revisions to provider forms during the fall. FLiCRA and LeadingAge Florida were represented at each public meeting.

## WANT MORE FLiCRA?

Go to [FLiCRA.com](http://FLiCRA.com) and sign up to receive FLiCRA Alerts and Updates straight to your email inbox!

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## Adults 80+ have higher median reported losses from fraud than other age groups — by far

Adults aged 80 or more years have reported to the Federal Trade Commission median losses of \$1,800 per person due to fraud so far this year, according to new data released Wednesday along with a report to Congress.

The amount was the highest among all age groups, by far, with the next highest median loss due to fraud, at \$802, occurring among those aged 70 to 79.

For the 80+ age group, there were 28.62 fraud loss reports per 100,000 people, the FTC said. The number was much lower than the number of reports for other age groups, with the next lowest number being 41.75, again among those aged 70 to 79.

The highest number of loss reports among those 80+ were filed due to tech support scams, followed by prize / sweepstakes / lottery scams, imposter: business scams, imposter: government scams and imposter: family/friend scams.

By total dollar amount lost among those 80+ so far this year, the top scams were prize/sweepstakes/lottery, with \$15.4 million lost; imposter: government

(\$9 million); imposter: family / friend (\$4.8 million); imposter: business (\$3.8 million); and tech support (\$3 million).

Median dollar losses from scams among those aged 80+, however, were ranked differently, with imposter: family / friend scams placing first, at \$6,500 in median losses, followed by prize/sweepstakes/lottery (\$5,600), imposter: government (\$3,000), imposter: business (\$828) and tech support (\$700).

Overall, the report, “Protecting Older Consumers 2018-2019: A Report of the Federal Trade Commission,” had some good news: Adults aged 60 or more years appear to be less likely than those aged 20 to 59 years to lose money to fraud, at least judging by the incidents reported to the FTC. The bad news, however, the FTC said, is that the amount of money the older adults are losing to fraud is increasing. The report included 2018 data.

**Lois A. Bowers**

**Source: McKnight’s Senior Living**

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## Commissioner Altmaier Announces New OIR Government Affairs Director

TALLAHASSEE, Fla. – Florida Insurance Commissioner David Altmaier is pleased to announce the appointment of Allison Hess Sitte as Government Affairs Director for the Office of Insurance Regulation (OIR), effective Monday, December 2, 2019.

“Allison has skills and experience which will greatly benefit OIR and I look forward to working with her as we approach the 2020 Legislative Session,” said Insurance Commissioner David Altmaier.

Allison most recently served as the Director of Legislative and Cabinet Affairs at the Florida Department of Veterans’ Affairs and has previously served in the Florida Senate. Allison has an undergraduate degree in English from Florida State University and a Master of Corporate and Public Communications degree from Florida State University in Panama City.

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# FLiCRA Strategic Plan - 2019

The Strategic Plan of the Florida Life Care Residents Association (FLiCRA) is intended to set the vision of the organization. The execution of the plan, is based on specific work undertaken by the state board of directors including Regional Directors, leaders within local FLiCRA Chapters and headquarters personnel in Tallahassee.

This strategic plan is linked with a corresponding operational plan which provides a more detailed outline of actions, activities and responsible parties for implementing the goals established in the strategic plan.

## **MISSION AND VALUES**

FLiCRA is governed by its mission to ensure quality of life and welfare of residents residing in continuing care retirement communities. As it relates to public policy objectives, FLiCRA as a state association is postured to advocate of behalf of its membership, primarily before state legislators, policy officials and regulators. Issues that are directly germane to residents within a CCRC setting will be the basis for the association determining to take advocacy positions. Periodically, the association may take positions on federal issues, again, when and if that occurs, issues will be directly germane to residents living within a CCRC setting.

## **MEMBERSHIP**

### **Goal**

- FLiCRA shall be comprised of at least 50% or more of independent living residents in licensed CCRCs in Florida. Further, FLiCRA shall maintain a broad based membership with members in at least 75% of licensed CCRCs in Florida.

### **Action**

- FLiCRA shall provide membership marketing materials for existing and prospective members, at existing and prospective chapters.
- FLiCRA shall offer a marketing video, updating content of videos at least once every three years.

- FLiCRA shall maintain a Membership Best Practices Guide for use within local communities.
- FLiCRA shall seek to expand the number of automated dues billing chapters, with a target of at least one new chapter adopting that process every two years.

### **Action Responsibilities**

- Headquarters Staff, Chapter Presidents, Regional Directors, Board

## **ADVOCACY**

### **Goal**

- FLiCRA shall be considered by the Legislature and regulatory agencies as the go to organization that can best provide the consumer perspective for residents living in Florida's licensed continuing care retirement communities and rental retirement communities.

### **Action**

- FLiCRA shall provide Chapters and Regional Directors with a format for holding member/candidate forums.
- FLiCRA will be represented at a minimum of twelve county legislative delegation meetings each year, with special focus on election year.
- FLiCRA shall provide Chapters and Regional Directors with standard format/procedures to participate in county legislative delegation meetings.
- Develop a "Letters to the Editor" issue based program for use by the chapters.
- FLiCRA shall work to ensure that at least 50% of resident representatives on the Governors Continuing Care Advisory Council are FLiCRA members.

### **Action Responsibility**

- Headquarters Staff and Regional Directors

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## **MEETINGS**

### **Goal**

- FLiCRA shall host or coordinate at least one state meeting and up to eight regional meetings that bring together content and/or speakers that are relevant to the association's mission.

### **Action**

- FLiCRA shall maintain an up to date speakers guide for FLiCRA chapters.
- FLiCRA shall assist chapter leaders and Regional Directors with securing event locations, which may be within a CCRC or other types of event venues, such as hotels.

### **Action Responsibility**

- Headquarters Staff, Chapters, Regional Directors

## **FINANCES**

### **Goal**

- FLiCRA shall maintain at least a break even net operating budget. FLiCRA shall strive to achieve a target of reserves of at least 120 days (cash liquidity) in addition to normal operating assets.

### **Action**

- FLiCRA shall review its short and long term investment policy at least once every twenty-four months.
- FLiCRA shall maintain distribution of a balance sheet and profit and loss statement each month.
- FLiCRA shall examine at least every three years, the need for any additional outside financial review, based on the current structure whereby a 3rd party CPA firm prepares the association's monthly financial statements, and the headquarters operations maintains its own third party accreditation which includes an onsite audit of operating processes.

### **Action Responsibility**

- Executive Director, Board

## **COMMUNICATIONS**

### **Goal**

- FLiCRA shall maintain both print and electronic communication vehicles that ensure residents, regulators and other interested parties stay informed on issues of statewide importance.

### **Actions**

- Maintain weekly e-newsletter Action Alerts and legislative updates during regular or special legislative sessions. In interim months, when the Legislature is not in session, e-newsletters will be published monthly.
- Maintain an association website. The association website will be updated with a design upgrade or platform upgrade at least once every four years.
- Maintain a print newsletter, the Resident Connection. Publication frequency will be determined by the board of directors.

### **Action Responsibility**

- Headquarters Staff, Board of Directors

## **CHAPTERS**

### **Goal**

- FLiCRA shall maintain chapter status in at least 55% of Florida's licensed CCRCs.

### **Action**

- FLiCRA shall maintain Regional Directors each region.
- FLiCRA shall produce and Update a Guide to Operating a FLiCRA chapter.
- FLiCRA shall offer staff and peer to peer assistance for local chapter leaders on event programming; bylaws review; chapter bank account processes and other best practices for financial management of local treasury funds.

### **Action Responsibility**

- Headquarters Staff, Chapter Presidents, Regional Directors

## Recent FLiCRA Events



### **Clockwise starting Top/Right:**

Region 8 outgoing director Wayne Forehand receives Appreciation Award from FLiCRA President Diane Dalsimer at the 2019 Annual Conference & Delegates Meeting.

President Diane Dalsimer presents Appreciation Certificates to Paul Johns and Leean Chojnowski of the Office of Insurance Regulation at the 2019 Annual Conference & Delegates Meeting.

Senator Tom Lee receives Senator of the Year Award from FLiCRA Past President Pat Arends and Region 7 Director Ray Neff at the Region 7 Meeting in Tampa.

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## Florida Department of Elder Affairs State Plan on Aging

The Florida Department of Elder Affairs (DOEA) prepares a State Plan on Aging (State Plan) every three or four years as required by the Administration on Aging (AoA), part of the Administration for Community Living (ACL) under the U.S. Department of Health and Human Services.

The State Plan provides strategic direction to the Florida elder services network and complies with instructions provided by AoA. Beyond the minimum required information, the State Plan addresses the following: key sociodemographic factors that will shape funding needs; priorities, unmet needs and promising practices identified by DOEA and the Area Agencies Aging (AAAs); and the Department's objectives in working with the aging network to provide cost-effective, high quality services to Florida's older adults, adults with disabilities, and their caregivers. Florida has the highest proportion of residents age 60 and older in the nation, comprising a quarter of the state population (25.1%).

More than 1.7 million Floridians are age 75 and older, and 100 and older is the fastest growing age group by percentage. Growth among elder Floridians is expected to continue, with those age 60 and older comprising 30 percent of the state population by 2030.

To focus the Department's efforts to serve Florida's aging population, the following goals are established in the State Plan:

**Goal 1:** Information and Access – Enable older Floridians, individuals with disabilities, their families, and other consumers to choose and easily access options for existing mental and physical health, as well as long-term and end-of-life care.

**Goal 2:** Provide medical and home and community-based services to enable individuals to maintain a high quality of life for as long as possible, including supports for family caregivers.

**Goal 3:** Health and Wellness – Empower older Floridians and their caregivers to live active, healthy lives to improve their mental, behavioral, and physical health status.

**Goal 4:** Ensure that the legal rights of older Floridians are protected and prevent their abuse, neglect, and exploitation.

**Goal 5:** Promote planning and collaboration at the community level that recognize the benefit and needs of its aging population.

**Goal 6:** Maintain effective and responsive management.

**Source:** [http://elderaffairs.state.fl.us/doea/StatePlan/2017-2020\\_State\\_Plan\\_on\\_Aging.pdf](http://elderaffairs.state.fl.us/doea/StatePlan/2017-2020_State_Plan_on_Aging.pdf)

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## OIR Creates New Contact Information for Ch. 651 Complaints

The Office of Insurance Regulation has created a new phone number and email address specifically for reports of potential violations of Chapter 651, Florida Statutes. Both will be activated on January 1, 2020. The new phone number is **(850) 413-3153**. The new email address is [CCRCTeam@floir.com](mailto:CCRCTeam@floir.com).

As background, a new section, 651.091(2)(c), F.S., was passed in HB 1033 that requires each continuing care/life plan community to post in a prominent place accessible to all residents and the public, a notice containing contact information for the OIR and the Division of Consumer Services. The notice must state that either the OIR or the Division may be contacted for the submission of inquiries

and complaints about potential violations of Chapter 651 committed by a provider.

New language from the law related to this requirement: *c) Post in a prominent position in the facility, accessible to all residents and the general public, a notice containing the contact information for the office and the Division of Consumer Services of the department and stating that the division or office may be contacted for the submission of inquiries and complaints with respect to potential violations of this chapter committed by a provider. Such contact information must include the division's website and the toll-free consumer helpline and the office's website and telephone number.*



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## Changes in CCRC Fees in Florida

### ENTRANCE FEES

#### FROM 2017 TO 2018

- Average: 3.7%
- Median: 0%
- Upper Quartile: 3.96%
- Lower Quartile: 0%

#### FROM 2014 TO 2018

- Average: 9.39%
- Median: 0%
- Upper Quartile: 18.72%
- Lower Quartile: 0%

### MONTHLY MAINTENANCE FEES

#### FROM 2017 TO 2018

- Average: 2.69%
- Median: 1.97%
- Upper Quartile: 3.71%
- Lower Quartile: 0%

#### FROM 2014 TO 2018

- Average: 7.10%
- Median: 4.55%
- Upper Quartile: 13.87%
- Lower Quartile: 0%

*Changes to fees were calculated using the lowest first-person entrance fee and monthly maintenance fee reported by each facility in its Annual Report to describe changes in cost of entry to CCRCs.*

**Source: Life & Health Financial Oversight, Office of Insurance Regulation**