



Residents News-Mail

The WACCRA annual meeting will be held this Saturday at 2 PM

Emerald Heights

10901 176th Circle NE

Redmond

Please join us. It's always great to get caught up on what is happening and to visit friends or make new friends from other CCRCs.

If you cannot attend in person, you can JOIN BY [ZOOM USING THIS LINK](#) or by using the Zoom Meeting ID and Passcode::

Meeting ID: 327 786 5010

Passcode: msra1

The passcode ends with the number 1, not a letter.

One of the action items is approval of the minutes form the 2023 meeting:

Minutes of the 2023 WACCRA Annual Meeting

Talus Hall, Timber Ridge
October 21, 2023

Attendees:

Board: Donna Kristaponis, President; Laura Saunders, Vice President; Nickie Askov, Secretary; Jim Crim, Treasurer; Rick Baugh, Carlos Caguiat, Monica Clement, Kim Hickman, Barb Horrell

Absent Board Members: Rocky Higgins, Barbara Knight

CCRC Membership Coordinators present: Susan Dillon, Chair; Celie Brown (Timber Ridge), Bob Drexler (Emerald Heights), Tom Sakata (Skyline), Mandy Wertz (Mirabella)

Members in attendance: Approximately 200; in person and 22 on Zoom.

President Donna Kristaponis called the meeting to order at 2:00 PM. The Executive Director of Timber Ridge Heather Turner then welcomed WACCRA members to Timber Ridge. As Executive Director for the past ten years, she noted that she has enjoyed working with residents.

President Donna Kristaponis, after reviewing the meeting agenda, stated the Mission of WACCRA: To educate, collaborate, and advocate in Olympia and Washington, DC, for all seniors and WACCRA members. She offered examples of each in WACCRA's activities. Donna introduced Lisa Callan, State Representative who sponsored the Budget Proviso that provided \$300K toward the development of legislation. She also introduced Donna Christianson who has served as a lobbyist since 1982 and is the lobbyist for WACCRA. She read the list of organizations, mostly non-profits, for which Donna C. provides advocacy in Olympia.

Business:

Donna announced the results of the Board election in which Carlos Calguait, Jim Crim, Donna Kristaponis, Barbara Horrell and Barbara Knight were elected to two year terms on the Board. Donna introduced members of the Board of Directors. She also introduced the Liaisons (formerly membership coordinators). She reported the results of the Communications Task Force about their changing role.

The minutes from last year's Annual meeting at Skyline on October 22, 2022, were approved by vote.

Jim Crim presented the Treasurer's Report, saying that in 2023 total current revenues are \$37,167 including \$28,872 membership dues and \$8,295 donations. Total current expenses are \$26,547. The current balance in 2023 is \$10,620.

Accomplishments:

Donna summarized WACCRA's accomplishments during the past year:

- Lobbied for \$300,000 in supplemental funds for the eventual development of legislation to protect CCRC residents' rights.
- Lobbied for legislation supporting seniors.
- Expanded the multi-state gathering of state CCRC resident leadership to share information, assist each other, and identify research on best practices.
- Helped secure additional funding for the Long-Term Care Ombuds budget.
- The Communications Task Force conducted focus groups to determine the best ways of communicating with residents of CCRCs.
- Increased participation in the Presidents Roundtable with 18 of the registered 23 CCRCs participating.
- Expanded WACCRA's membership to over 1,100 members.

Panel Discussion

The Legislative Task Force—Carlos Caguiat, Chair, Kim Hickman, Barb Horrell, Donna Kristaponis, and Laura Saunders—explained the process to secure legislation. When WACCRA split off from NaCCRC as a 501(c)4 in order to lobby for residents' rights within Washington, it lobbied for a Patient Bill of Rights. It also advocated for the registration of CCRCs in 2016 providing that all levels of care must be offered in order to be called a "Continuous Care Retirement Community". Through the work of the Legislative Task Force and the lobbying efforts of Donna Christianson, the Office of the Insurance Commissioner (OIC) was able to obtain \$250K in 2022 budget to study the types of regulation and disclosures now existing in other states. The conclusion of the study was that the needed oversight could be provided by a single agency or be a shared responsibility..

After the Office of the Insurance Commission's report was issued in December 2022, further discussions with the Department of Social and Health Services, resulted in a budget proviso that was introduced and passed in the 2023 legislative session and that provided \$300K to develop detailed legislative recommendations carrying out the OIC reports findings. The proviso made DSHS the lead agency but would also work in partnership with the OIC for financial oversight and with the Attorney General for enforcement. The three-agency study will report back to the legislature on what regulations are needed by December 2024.

To determine what CCRC residents see as important in the regulations, the WACCRA Legislative Task Force has created a survey offering multiple choice

questions about six areas of concern. The survey will also be sent to members of the Presidents Round Table to be shared as they wish.

WACCRA anticipates a bill to be submitted to the legislature in 2025. The work will involve educating and lobbying officials and the state legislature about the need for transparency, creation of independent agencies overseeing CCRC finances, as well as heightening the standards for CCRCs, increasing residents' voice in decision-making, and empowering outside agencies in resolving disputes. Members will need to become active in advocating with their legislators. Donna encouraged members to look at waccra.org to see the report from the OIC and as well as the informative CCRC 101 presentation.

Speech by Professor Katherine C. Pearson, J.D.

Donna introduced Katherine Pearson, a Penn State Dickinson Law School Professor and Arthur L. and Sandra S. Piccone Faculty Scholar. We are honored that she has spoken to us twice before (2013 and 2021). Two years ago she agreed to serve as the first member of WACCRA's Advisory Council. She is a leading national scholar and frequent speaker about CCRCs and Senior Living and the need for adequate consumer protection for residents.

Katherine described setting up an Elder Law Clinic at Dickinson Law in 2005. A group of residents from a CCRC approached her about their administration's plans to double the size on the same footprint. She discovered that the PA Office of Insurance Commissioner had the annual reports from various CCRCs that had been unread. After writing an article about this incident, the new Commissioner called her and has made changes expanding oversight of independent living residents in CCRCs. Other states began to call her suggesting national legislation. However since most CCRCs are based in one state, state regulation may make more sense. Professor Pearson believes that a national Bill of Rights for residents is necessary. It would include how entrance fees (money beyond the monthly maintenance fee) are used. This work has changed her focus for teaching and research. She wondered why new contracts were being written but not offered to current residents. She also wondered how an administration can change the terms of the contract without any resident input. The concept of warranty is applicable—that a contract makes inherent promises for deliverables. She considers herself an advocate for senior adults.

Professor Pearson reviewed why consumer protection laws are necessary and summarized five points :

- 1) State regulators must learn to listen to residents and have a system of enforceability of residents' rights. The definition of a CCRC needs to be

clarified. (The common term CCRC is being replaced Life Span communities, or Life Plan Communities.) Professor Pearson is seeing a trend in some parts of the country of no longer offering continuing care by eliminating Skilled Nursing and Memory Care. (Instead caregivers are privately hired by residents.) A broad definition of CCRCs or Life Plan/Span Communities is needed.

2) Ongoing minimum disclosures are required—what should be disclosed and why.

3) Plan for financial security should be described. She described the difference between accountants (who tell how your money is being spent) and actuaries (who tell how your money should be spent in the future). Regulation should include studies of actuarial balance forecasts that provide information that ensure the ability to meet lifetime obligations: Regulation should require demonstrating a self-supporting fee structure especially in communities that require large entrance fees, including demonstrating the ability to meet future obligations. Other aspects of financial regulation would minimize the risk of bankruptcy as well provide reassurance that the governing board has a fiduciary duty to act to protect the life of the community. Good regulation will provide stability in the face of changes in the marketplace. She also mentioned concern and regulation needed about how refunds should be paid. As an example she mentioned a New Jersey law requiring that “first in, first paid back” approach rather than waiting for the sale of a vacated unit for a refund to be made.

4) Robust set of resident rights should be stated in the legislation. Residents should

be represented on the Board of Directors as required in Oregon.

5) Good regulation should also be enforceable including (and especially) resident rights.

Closing Remarks and Observations

Donna thanked Professor Pearson for her remarks. She then recognized Timber Ridge technical assistance as well as the many volunteers who facilitated the meeting. She next called up Laura Saunders who is the incoming president. Laura invited members to get more involved and thanked Donna for her 3-year presidential service with a gift.

The Annual Meeting of WACCRA was adjourned at 4:00.

Respectfully submitted,

Nickie Askov, Secretary

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