“Americans are living and working longer than in any other time in our history. Their life experiences bring a historical understanding to the challenges states face today and will in the future.”

SEN. BEAU MCCOY, NEBRASKA
2016 CSG National Chair

PLUS: A Conversation with 2016 CSG National Chair, Nebraska Sen. Beau McCoy
Thank you!

CSG’S 2016 LEADERSHIP CIRCLE

TO LEARN MORE ABOUT CSG’S ASSOCIATES PROGRAM AND LEADERSHIP CIRCLE, PLEASE CONTACT

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ON THE COVER
The Council of State Governments’ 2016 national chair, Nebraska state Sen. Beau McCoy, believes leaders of all ages must come together to identify and achieve solutions to the issues facing the states. He said older Americans offer a historical perspective that can help state leaders better navigate the policy challenges of today and tomorrow.

Photo by Amanda Raithel

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A TIME FOR CELEBRATION, A TIME FOR FAMILY

The holiday season is upon us, and with that comes a time for reflection on the events of the year and a time to express thanks for family and loved ones who have surrounded us along the way. It’s no different for us at The Council of State Governments. CSG has long been known as a family of members who hold a common dedication to serving the states. We at CSG are thankful to have you as part of our family, and we are honored to help policymakers across the country realize our shared vision of excellence in state government.

Here’s what’s happening at CSG.

1. **CSG Overseas Voting Initiative releases policy recommendations report.**

   The CSG Overseas Voting Initiative Policy Working Group has released a detailed report of its recommendations to improve the voting experience for military and overseas voters. “Overseas Voting: Strategies for Engaging Every Voter,” published in November, identifies policy strategies that reflect a commonsense, actionable and practical approach to facilitating the overseas voting process regardless of jurisdiction size or structure. The working group identified areas where state and local governments can improve the overseas and military voting process such as voter registration, use of the Federal Post Card Application, voter communication and improved engagement with the U.S. military community. The report can be downloaded at [http://www.csg.org/ovi](http://www.csg.org/ovi).

2. **2016 CSG National Conference gets back to America’s roots.**

   America’s greatness began with a simple desire to live freely and chart our own path. Today, our states face uncertain futures and state leaders face complex challenges in governing the states. Join us for the 2016 CSG National Conference, Dec. 8–11, in Colonial Williamsburg, Virginia, for an opportunity to explore innovative state strategies addressing the challenges of today, develop leadership skills and create problem-solving partnerships with colleagues from across the country and beyond our nation’s borders. For America, it all began in Williamsburg.

   For more information about the conference, visit [www.csg.org/2016nationalconference](http://www.csg.org/2016nationalconference) or call 800-800-1910.

3. **CSG hosts Veterans Policy Academy in Los Angeles.**

   CSG will host state policymakers at the upcoming Veteran to Civilian: Overcoming Challenges for a Successful Transition to the Workforce Policy Academy, Nov. 15–17 in Los Angeles. The policy academy will feature a panel discussion with representatives from the U.S. departments of Labor and Defense, as well as members of the private sector who are working to help transition military service members to the American workforce. The program also will include a visit to the Bob Hope Patriotic Hall, which houses a number of services for L.A. County veterans. The CSG Policy Academy series offers state officials with an opportunity to develop in-depth understanding of critical and timely policy issues facing the states. For more information, please contact Elizabeth Whitehouse, CSG director of education and workforce development, at ewhitehouse@csg.org.

4. **CSG hosts eCademy series on workforce development for people with disabilities.**

   The Council of State Governments, through support from the U.S. Department of Labor, is pleased to present a four-part series of eCademy webcasts in November that will focus on state strategies to promote workforce development for individuals with disabilities. The sessions at 2 p.m. Eastern time on Nov. 1, 15, 22 and 29 will explore a range of related topics, including career readiness and employability; entrepreneurship, tax incentives and procurement; transportation, technology and other employment supports; and hiring, retention and re-entry. For more information and to register, please visit [www.csg.org/eCademy](http://www.csg.org/eCademy).

5. **Application period opens for 2017 CSG Toll Fellowship.**

   Applications are now being accepted for the CSG Henry Toll Fellows Class of 2017. The 2017 CSG Toll Fellowship will host 48 emerging state leaders from across the country Aug. 25–30 in Lexington, Kentucky. The deadline for applying is midnight Hawaiian time on April 23, 2017. Visit [www.csg.org/TollFellows](http://www.csg.org/TollFellows) for more information and to apply.
“WHAT WE DO NOW TO MAKE OUR COMMUNITIES GOOD PLACES TO GROW UP AND GROW OLD WILL YIELD RETURNS NOT ONLY FOR TODAY’S ELDERS BUT ALSO TOMORROW’S—THAT IS, FOR ALL OF US.”

» Margaret B. Neal and Alan DeLaTorre of Portland State University’s Institute on Aging, who co-authored the February 2016 report, “The Case for Age-Friendly Communities.”

“The way I see it, we have the greatest generation that has answered the call time after time and the virtues that define them are what people are attacking. We have to fight against that.”


“WE’RE WORKING ACROSS OTHER AGENCIES, THE DEPARTMENT OF LABOR, THE DEPARTMENT OF EDUCATION, TO CREATE NEW STRATEGIES TO GROW THE WORKFORCE WE NEED TO TAKE CARE OF OUR AGING COMMUNITIES.”

» Massachusetts Secretary of Elder Affairs Alice Bonner, as quoted Feb. 1 by the Wicked Local Littleton, discussing the state’s efforts to prepare for the rapid rise in the senior population.

“We talk about how to get young people here, but do we have enough services to take care of the elderly community? We need a statewide initiative. Right now, it’s town by town, community by community that is addressing these issues.”

» New Hampshire state Sen. Sharon Carson as quoted on Aug. 13 by the New Hampshire Union Leader on the need to address the needs of a rapidly aging population in the state, which has the second oldest population in terms of median age.

“One of the most important things we can do for Pennsylvania’s seniors is to provide the means for them to stay active and involved in their communities.”

» Pennsylvania Secretary of Aging Teresa Osborne, quoted June 14 by PR Newswire, announcing more than $2 million in grant awards to help senior community centers modernize their facilities, make technology improvements and enhance programming.

IF STATES COULD BUILD A TIME MACHINE SO ALL THEIR CITIZENS COULD GO BACK 10 YEARS AND START SAVING THEN, THAT WOULD BE A BIG HELP.”

» Teresa Ghilarducci, professor of economics at The New School, as quoted July 28 by Marketplace on the retirement savings crisis. According to Marketplace, the median amount of retirement savings among working-age Americans is $3,000.
MOTOR VOTER
Nearly 15,000 people were registered to vote during the first month of Connecticut’s Motor Voter program, according to the Hartford Courant. From Aug. 8 through Sept. 7, 14,693 people were registered using information from transactions at the state Department of Motor Vehicles, according to election officials. That’s more than the total number of people registered at the DMV over the past three years. Under the new program, customers visiting the DMV may choose to opt out of voter registration.

RED LIGHTS
In Pennsylvania, a new law took effect on Sept. 18 that allows drivers to run red lights that appear to be malfunctioning. The law does not specify how long a driver must wait at that light before proceeding, WNEP-TV reported. The bill was originally meant for motorcyclists who may have trouble triggering sensors at red lights, but it was later expanded to include all drivers.

SUMMER RECESS
Maryland Gov. Larry Hogan has issued an executive order that requires all public schools in the state to delay the start of school until after Labor Day, beginning with the 2017–2018 school year, according to The Washington Post. Hogan said the delay would be good for families, businesses and the economy. The order also requires that schools complete 180 days of class by June 15.

STATE SPENDING
A new website in Massachusetts provides details about state spending and payroll. Comptroller Thomas G. Shack III said the site, located at mass.gov/comptroller/cthu, would give news media, public interest groups and others a tool to uncover waste and fraud, according to The Boston Globe. Shack’s office built the site, launched in September, because of a new public records law signed by Gov. Charlie Baker in June that requires agencies to provide records in digital format.

TEXTING 911
New Jersey residents can now send text messages to 911, NJ.com reported in September. The new technology at call centers will help those who are deaf or hard of hearing as well as others who may not be in a position to talk on the phone during an emergency situation. According to the Federal Communications Commission, more than 650 call centers in nearly 40 states have the capability to receive text messages.

NEW YORK GOVERNOR PROPOSES CYBERSECURITY REGULATIONS
New York Gov. Andrew Cuomo has proposed new regulations for banks, insurance companies and other financial institutions that would require them to establish cybersecurity programs.

“This regulation helps guarantee the financial services industry upholds its obligation to protect consumers and ensure that its systems are sufficiently constructed to prevent cyber attacks to the fullest extent possible,” Cuomo said in a statement on Sept. 13. The Wall Street Journal reported that, if implemented, New York would become the first state to issue cybersecurity regulations for banks. The regulations must remain open for public comment for 45 days, following Sept. 28 publication in the New York State register, before issuance of the final version.

Under the proposed regulations, banks would be required to hire a chief information security officer, implement measures to detect and prevent cyber attacks, and notify the New York Department of Financial Services, or NYDFS, of a data breach within 72 hours of the event.

“Consumers must be confident that their sensitive nonpublic information is being protected and handled appropriately by the financial institutions that they are doing business with,” said NYDFS Superintendent Maria T. Vullo in a statement. “DFS designed this groundbreaking proposed regulation on current principles and has built in the flexibility necessary to ensure that institutions can efficiently adapt to continued innovations and work to reduce vulnerabilities in their existing cybersecurity programs.”
BUSINESS STARTUPS
Nashville, Tennessee, is among the fastest-growing markets for business startup activity, according to a new report by the Kauffman Foundation. Nashville ranked 16th among metropolitan areas for new business activity, based on the percentage of new entrepreneurs in a given month, reported The Tennessean. Nationally, business startup activity has improved for two consecutive years, after hitting a 10-year low in 2014. While startup activity has recently experienced a slight increase, it is almost half that of rates in the late 1970s, and well below rates in the early 2000s.

GULF COAST RESTORATION
Louisiana’s Coastal Protection and Restoration Authority expects to complete the restoration of Shell Island, a barrier island at the southern end of the state’s Barataria Bay, by November. Officials estimate that contractors will relocate more than 4.8 million cubic yards of Mississippi River sediment and 1.57 million cubic yards of more organic sediment from the Gulf of Mexico, adding 2.7 miles to the island to create a first line of defense against hurricane storm surges, according to The Times-Picayune. The project is funded in part by a settlement with BP for natural resource damages caused by the Deepwater Horizon oil spill.

HISTORIC FLOODING
An economist at Louisiana State University’s, or LSU’s, AgCenter estimates that August’s historic flooding in south Louisiana will cost farmers $277 million, more than double the original estimate of $110 million. According to the LSU AgCenter, economist Kurt Guidry projects Louisiana’s agriculture industry has lost a minimum of $367 million worth of crops, livestock and equipment to floods in 2016. The estimates also include production losses, quality damage, increased production costs and infrastructure damage.

UNINSURED RATE
According to new data from the U.S. Census Bureau, West Virginia is one of the top states in reducing the number of residents without health insurance. West Virginia saw the number of uninsured state residents decline from 255,000 to 108,000 between 2013 and 2015, a 136 percent decrease, the Charleston Gazette-Mail reported in September. Much of the decline can be attributed to Gov. Earl Ray Tomblin’s expansion of the state’s Medicaid program in May 2013.

GRADUATION RATE INCREASES
More than 90 percent of Virginia’s high school class of 2016 graduated on time, the highest rate in nearly a decade according to The Washington Post. In 2016, the on-time graduation rate among Virginia students stood at 91.3 percent, nearly one percentage point higher than the class of 2015 and almost 10 percentage points higher than the most recent national average of 82 percent. The release of graduation rates comes as state education officials begin looking at ways to reform high school education curriculum to make it more relevant to today’s job market.

Georgia’s Budget Reserves Grow to a Record High
According to new estimates, the state of Georgia has increased its revenue shortfall reserve funds to a record $2.05 billion, a 43 percent increase from the end of the 2015 fiscal year. The state’s large reserves are important in helping keep its AAA bond rating, which saves millions of dollars in annual interest payments, reported the Atlanta Journal-Constitution. The reserves also fund state government during periods of recession and natural disasters.

In order to reach the goal of $2 billion in budget reserves, Gov. Nathan Deal and his staff intentionally used conservative estimates for projected tax revenue. The state collected a record amount of revenue in the past fiscal year, far above what the government spent.

“You have to give the governor a lot of credit because there is always pressure to spend money and give raises,” Appropriations Committee Chair Sen. Jack Hill said, “but he has always been steadfast about building the reserves.”

State reserves decreased to $51 million in 2004 when Georgia was going through a fiscal recession, before increasing to $1.54 billion in 2007. Due to the Great Recession, the reserves decreased to $103 million in 2009. It costs $91 million per day for the state to operate.
FORECLOSURE PROCESS
An Ohio law that went into effect in September aims to reduce the number of vacant or abandoned properties, often referred to as zombie properties. Under the law signed by Gov. John Kasich, a new fast-track system could speed up the foreclosure process from two years or more to as little six months, the Associated Press reported.

GENDER POLICY
The Iowa Department of Corrections has implemented a policy that requires prison staff to use an inmate's preferred first name and preferred pronoun, including the pronouns he, she or ze, The Des Moines Register reported in September. Ze is a gender-neutral pronoun. The new practices are part of a gender dysphoria management policy approved by Iowa Corrections Director Jerry Bartruff.

TRAFFIC STOPS
All driver education classes in Illinois must include a section that educates attendees about what to do during a traffic stop, according to the Chicago Tribune. The new state law signed by Gov. Bruce Rauner in August came about as tensions rose in Chicago, and across the nation, regarding traffic stops that went wrong and sometimes turned deadly. State Sen. Julie Morrison, co-sponsor of the bill, said it was important that new drivers learn how to respond correctly in a traffic stop in order to help prevent a problematic encounter.

STATE FAIR
Kansas Gov. Sam Brownback encouraged the Kansas State Fair Board to self-finance building improvements, the Associated Press reported in September. The Kansas State Fair is a fee-funded agency but recently has had more expenses along with a need for several building updates. According to AP, the board president expressed interest in using sales-tax revenue bonds to fund projects, but Brownback said fair improvements did not match the intention of the bonds.

BUDGET CUTS
Agencies submitted proposals to Wisconsin Gov. Scott Walker in September under a new law that required budget requests to be accompanied by proposals that cut agency budgets by 5 percent. According to the Wisconsin State Journal, the proposals—such as no longer requiring drivers to have two license plates—are not binding, but they give Walker and state lawmakers options to consider as they create the next biennial spending plan.

MICHIGAN’S VOCATIONAL VILLAGE
Aims to Reduce Recidivism
A new program has been developed in Michigan to reduce prison recidivism rates by helping more inmates with job skills.

Under the new program, many soon-to-be-released inmates are removed from the general prison population and sent to a “vocational village” for job training, the Associated Press reported.

About 10,000 inmates are released each year in Michigan, but about 40 percent of inmates entering the system are repeat offenders. The vocational village is intended to help inmates find stable jobs and, therefore, reduce their risk of committing crimes that cause them to return to prison or jail.

In addition, many skilled tradesmen in the state are getting older and some individuals in certain fields left their jobs during the Great Recession.

“This is the best time, when you have an economy that’s growing and you have 100,000 open jobs in the state or more,” said Gov. Rick Snyder, according to the September AP story.

Corrections officers attend manufacturing expos to share inmates’ credentials, and business leaders are encouraged to interview prison inmates for jobs.

Inmates in the village have “some protection and isolation from the pressures of the rest of the prison compound,” said Heidi Washington, the state’s corrections director.

“They are up every day when they’re supposed to be, and they’re engaged in learning and perfecting their skill or their trade all day long.”

For more on CSG Midwest, visit: capitlideas.csg.org and www.csgmidwest.org.
CALIFORNIA EXPANDS OVERTIME FOR FARMWORKERS

California Gov. Jerry Brown signed legislation in September that will phase in new overtime rules for state farmworkers over four years, beginning in 2019. The current 10-hour threshold for overtime will be lowered by a half-hour each year until it reaches eight hours by 2022. According to the Los Angeles Times, a standard 40-hour workweek also will be phased in. Brown may suspend any part of the plan for a year, depending on economic conditions.

The United Farm Workers of America, which sponsored the bill authored by Assemblywoman Lorena S. Gonzalez, said the law addressed an injustice inflicted on farmworkers decades ago, the newspaper reported. Opponents, however, were concerned about the new rules resulting in higher costs for farmers and growers that could force them to limit work hours and hire more employees.

The federal government enacted the Fair Labor Standards Act in 1938, which established minimum wage and overtime standards but did not include agricultural workers. In 1941, California exempted farmworkers from overtime pay. In 1976, the state Industrial Welfare Commission ordered overtime pay for farmworkers after 10 hours of work in a single day and after 60 hours in a week, a different standard from other workers who receive overtime after eight hours in a day and 40 hours in a week.

CROSSWALKS

The Utah Department of Transportation has developed a key for signal boxes at crosswalks that will allow crossing guards to add 10 to 15 seconds of walking time for groups of children, according to The Salt Lake Tribune. The safety technology, considered the first in the nation, costs about $20 per crosswalk to install, plus about a half-hour of installation time for an electrician.

DATA CENTER

Facebook has selected New Mexico for the site of a high-tech data center after a nationwide search, New Mexico Gov. Susana Martinez announced in September. The center, which will bring an estimated 30-50 data center jobs, will be built in Los Lunas, New Mexico. The Albuquerque Journal reported that the company planned to break ground in October and finish the project by late 2018. Martinez called the deal a win for the state and its economic future.

PRESCRIPTION DRUGS

Arizona Gov. Doug Ducey spoke at a Walgreens store in Phoenix in September about state efforts to fight opiate drug addiction and other prescription drug abuse, according to The Arizona Republic. Ducey worked with Walgreens to implement safe medication-disposal bins at 18 stores. Also, Ducey signed a bill in May that will make naloxone, the opiate antidote, available to the public without a prescription.

CANNABIS EVENT BAN

The U.S. Army has banned Alaska-based soldiers from attending cannabis-related events and festivals, Alaska Dispatch News reported in September. The policy was established because some cannabis organizations in Alaska had offered military discounts. The cannabis industry is growing in Alaska, where the first marijuana retail stores were approved by the state in September.

WIND TAX

Wyoming lawmakers rejected a bill to increase taxes on wind energy in September, according to the Wyoming Tribune Eagle. The proposal came about because of a decline in school construction money that primarily comes from coal lease bonuses. However, the newspaper reported that there had not been new coal leases in years. Wind energy taxes are currently $1 per megawatt hour; Wyoming is the only state that places a tax on wind energy generation.

California Expands Overtime for Farmworkers

For more on CSG West, visit: capitolideas.csg.org and www.csgwest.org.
Elder Rights Resources for State Policymakers

State policymakers face a variety of public policy questions and challenges related to our rapidly aging population. Where can they go for information? How can policy foster independence, dignity and quality of life of all elders while protecting them from impoverishment, disease, exploitation and isolation? Permeating every aspect of this challenge are a matrix of legal issues that have been a key focus of the American Bar Association’s Commission on Law and Aging for more than 35 years. Funded by the American Bar Association, or ABA, and outside grants through the ABA Fund for Justice and Education, most of the commission’s policy, research, education and technical assistance work is available free to state policymakers and professionals through its website.

The commission’s current priority areas include mental capacity assessment issues, guardianship and supported decision-making (including support to vote in long-term care settings), elder abuse and exploitation, long-term support services and end-of-life care issues (advance care planning, health care decision-making), and how all these issues affect persons with dementia.

Several resources and activities of the commission provide background, analysis and models for policy improvement. For example, in the area of guardianship, the commission, in collaboration with the National Guardianship Network and the National Resource Center for Supported Decision-Making, provides an annual comparative update of guardianship legislation, an annual case law review, and technical assistance and resources to state guardianship reform efforts provided through a program called Working Interdisciplinary Networks of Guardianship Stakeholders, or WINGS.

The commission also provides technical assistance, legislative analysis, training, and models for policy improvement on elder abuse, neglect and exploitation, including abuse of powers of attorney. The commission has been instrumental in the establishment of elder abuse fatality review teams (comparable to those examining child abuse and domestic violence), in developing resources for law enforcement officers and other criminal justice system professionals, and in enhancing civil legal remedies and access to the civil justice system by elders.

Health and long-term care quality and cost concerns in an aging population pose another huge set of challenges for state policymakers. The commission’s legislative analysis and technical assistance resources can help in improving advance care planning policies and surrogate decision-making options through direct technical assistance or use of the commission’s state charts or legislative updates. In the field of capacity assessment, the commission has published guides for judges and practitioners. The commission’s work seeks to improve quality and honoring individual preferences from adulthood through the end of life.

Finally, the commission’s aim has always included improving access to justice by elders through systems enhancements in the delivery and improvement of legal assistance, strengthening elder rights in all facets of life, including such diverse matters as fiduciary relationships and access to the polls. Other public interest resources within the ABA ably complement the commission’s work, including the Commissions on Domestic and Sexual Violence, Disability Rights, and Homelessness and Poverty, as well as the Standing Committee on Pro Bono and Public Service. ABA membership sections, such as Health Law, Trust and Estate Law, and Administrative Law, further extend the available reservoir of policy and practice expertise within the ABA.

The easiest doorway to ABA resources is through the web page of the Commission on Law and Aging at www.americanbar.org/aging. Aging issues profoundly affect all Americans, whether they are aware of it or not, and pose some of our society’s most pressing challenges. Knowing where to get accurate and relevant information is the starting point of any pursuit for solutions.
The proportion of U.S. citizens age 65 or older is now greater than ever before in our nation’s history—15 percent of the population is considered to be an “older American.” And the percentage of Americans age 65 or older is expected to continue rising, with experts projecting it will reach 20 percent—or 83.7 million people—by 2050. States have long planned for a rapidly aging society, but now that the baby boomer generation has reached retirement age, are states prepared to meet the demands of the Silver Tsunami? From pensions to long-term care services, transportation mobility needs to adult guardianship reforms, and from retiring government workers to senior volunteerism in state agencies, Capitol Ideas magazine explores in this issue how states are responding to the needs (and opportunities) of older constituencies.
Why are state fiscal leaders concerned about the aging of the population? Typically, when we talk with them, the conversation inevitably turns to the cascading cost of health care borne by the states as men and women reach their 70s, 80s and beyond. But, though this is viewed as a policy challenge, at bottom, nobody seems to argue that the phenomenon of an aging population is, at heart, a bad one. As actor Maurice Chevalier said when asked about aging, “consider the alternative.”

The population statistics themselves are riveting. According to Census Bureau data, about 14.5 percent of the U.S. population is age 65 or over now, but that number will grow by about a third before 2030. The proportion of seniors varies from state to state. In Georgia, for example, an estimated 11.6 percent of the population is over 65 now, and 15.9 percent will have reached that point in 15 years. In Florida, by contrast, 19.5 percent of the population is over 65 and the number is anticipated to rise to 27.1 percent by 2030.

But the repercussions of an aging population don’t end with growing expenses. “I don’t think that people think about the revenue side of aging very often,” said Susan Brower, state demographer in Minnesota. As people age, they are inclined to earn less, and as a result they bring in less money for states through income taxes. They’re also inclined to spend less, which can decrease sales tax revenue.

According to a paper co-authored by Alison Felix, vice president of the Federal Reserve Bank of Kansas City’s Denver Branch, “On average, spending by those younger than 25 and those older than 75 was slightly more than half of that of middle-aged consumers.” One interesting wrinkle: As states increasingly turn to sin taxes, they are ever more reliant on revenue streams that
decline with aging. As the Centers for Disease Control and Prevention has found, while 20 percent of adults between 25 and 44 smoke cigarettes and 18 percent between 45 and 64 smoke, the portion of cigarette-smoking adults 65 and older drops to 8.5 percent.

According to Felix, the aging of the population reduces both income tax and sales tax revenue per capita in nearly every state. According to her paper, “The Impact of an Aging U.S. Population on State Tax Revenues” if the U.S. population in 2011 already had the age composition that is projected for 2030, the total of states’ tax revenues would have been lower by $8.1 billion.

Part of the reason this phenomenon tends to go unnoticed is that it’s the accumulation of very gradual year-to-year changes. As Jeff Robinson, senior fiscal analyst with the Iowa Legislative Services Agency said, “States tend to budget out for one or two years and the effect of aging on revenues doesn’t show up. But if you look out years it’s a big issue. … I’ve been concerned about this for a very long time.”

The fact that states don’t tend to do long-term budgeting means that issues like this can easily go unnoticed, no matter how important they may be over the long term. In fact, calculating budgets for more than two years was one of the 10 recommendations we made in a December 2015 paper we wrote for the Volcker Alliance.

Of course, it’s not the case that when people retire, they suddenly stop bringing in income. Beyond the cash they get from savings, there’s also a flow of money from Social Security and pensions. But those earnings don’t do the state any good if it doesn’t tax them, and that’s frequently the case. In fact, the majority of states don’t include full Social Security retirement benefits in calculating taxable wages. Many of the remaining states exempt some portion of that income. Connecticut, for example, uses an earnings test to determine how much of Social Security income should be taxed.

On the pension side, there are a variety of ways in which the states determine how much money should be taxed, according to the National Conference of State Legislatures. Alabama, for example, doesn’t get money from defined benefit plans, while Hawaii excludes money that comes from defined contribution plans. Pennsylvania is extreme in this instance, and excludes all income from pensions.

With states in fiscal stress, you might think that going after more retirement income would be one way to help balance the books, but that doesn’t take into account the way politics often works. It takes a lot of political courage to inflame older citizens who tend to vote more often than other age groups relative to their percentage of the population. Nearly 60 percent of citizens over age 65 vote, compared to less than 40 percent of those age 35 to 44.

“The idea of going in that direction doesn’t seem likely to me,” said Robinson, even though a couple of states have done so. “It seems like the situation has the potential of getting worse instead of getting better.”

“On average, spending by those younger than 25 and those older than 75 was slightly more than half of that of middle-aged consumers.”


### About Barrett and Greene

CSG Senior Fellows **Katherine Barrett and Richard Greene** are experts on state government who work with Governing magazine, the Pew Charitable Trusts, the Volcker Alliance, the National Academy of Public Administration and others. As CSG senior fellows, Barrett and Greene serve as advisers on state government policy and programming and assist in identifying emerging trends affecting states.
Facing a wave of aging baby boomers, many states are trying to make it easier for frail seniors to stay in their homes—as many prefer—instead of moving into more costly nursing homes.
States have a huge stake in where aging seniors and disabled people end up getting long-term care because many of them won’t be able to afford to pay for their care and will have to rely on Medicaid, the health care program for the poor and disabled. Each state has its own Medicaid program, funded jointly by the state and the federal government.

Some states have been ahead of the pack in dealing with long-term care issues. In Minnesota, for example, nursing home beds have been cut more than a third as the state focuses on its home and community-based care system. In Hawaii, the state set up a program offering frail older adults in-home services at no charge.

More than a dozen states now allow residents whose income exceeds the threshold for Medicaid eligibility and who want to get care in their homes to set up a Miller Trust, a separate bank account for medical or other approved expenses. The states exclude that money when determining whether residents are needy enough to qualify for Medicaid in-home services, which can allow people to stay in their homes.

Nebraska passed a measure last year to set up three resource centers that will provide long-term care information and access to services that can make it possible for people to stay in their homes and communities.

Some states, such as Vermont, run a program that compensates caregivers—often family and friends—for their time taking care of Medicaid-eligible seniors who choose to live in their own homes, but need assistance. This eases the burden on caregivers and makes it more likely they’ll be able to continue providing services.

States from Louisiana to Wisconsin to Washington state have set up study commissions or advisory panels to explore ways to provide or fund long-term care for an aging population.

And while Congress repealed a long-term care insurance program that was originally part of the Affordable Care Act because it was not financially viable, many states are using federal dollars from the ACA to fund other long-term care services with the permission of federal administrators. The programs are aimed at allowing seniors and the disabled to receive care and age in their homes or transition into the community from institutional settings.

State officials face a huge challenge. More than 6 million Americans are 85 or older. That number will jump to almost 9 million in 2030 and nearly 18 million by 2050.

“Long-term care is going to be a serious problem for the states, in terms of Medicaid,” said Robert Moffit, a senior fellow at the conservative Heritage Foundation and member of the Maryland Health Care Commission. “And it’s going to get larger and larger as baby boomers jam the system.”

Help with Daily Living

Most long-term care isn’t medical. It’s a range of services that help frail elderly or disabled people with their daily living activities, from bathing and using the toilet to cooking and taking medications. It can be provided in a person’s home or in an institutional setting, such as a nursing home.

The federal government requires that state Medicaid programs pay for nursing home care for low-income seniors and disabled people. But individual states decide whether to cover home- and community-based services. Many seniors who want to remain in their homes rely on family and friends for help. If that’s not possible, they pay for such care out of pocket until they spend down their assets to qualify for Medicaid. At that point, the burden shifts to state government.

State Medicaid directors know all too well about the enormous challenges they’ll face as 75.4 million boomers—now ages 52 to 70—grow old.

“The impact is going to be huge,” said Matt Salo, executive director of the National Association of Medicaid Directors. “While the face of Medicaid is pregnant women, kids and low-income working families, that’s not where most of the money is going.”

Nearly two-thirds of all Medicaid spending on services is for seniors and people with disabilities, who together make up only a quarter of those enrolled in Medicaid.

Medicaid pays for 52 percent of all long-term care, according to the Kaiser Family Foundation. A recent report found that federal and state Medicaid spending on long-term care in 2014 was about $152 billion.

For decades, the bulk of Medicaid long-term care dollars went to care for older adults and disabled people in nursing homes and other institutions. But that trend has shifted, as
states react to financial pressures and people prefer to get services in their homes. In 2014, 53 percent of Medicaid long-term funding was spent on home and community-based care.

Either way, long-term care is expensive. This year’s median annual price of a private nursing home room is $92,378 and a “semi-private” shared room is $82,125. In-home health aide services cost $46,332 and adult day care is $17,680.

About a quarter of boomers turning 65 between 2015 and 2019 will require long-term care that will cost at least $100,000 over the course of their lifetimes. Nearly two-thirds of that group will have to pay at least that much out of pocket, according to a report by the U.S. Department of Health and Human Services and the Urban Institute.

People can buy private long-term care insurance coverage, but most don’t. Only about 16 percent of those 65 and over who can afford it and are ineligible for Medicaid have the insurance. Only about 5 percent of those aged 45 to 64 do.

In recent years, some companies that sell long-term care insurance have hiked rates and reduced benefits. Others have exited the market. And many people can’t afford it. The average annual premium in 2015 was $2,772.

Planning Ahead
Hawaii and Minnesota are two states that have been planning for ways to contain costs and keep seniors safe and healthy in their homes into the mid-21st century.

“We have a rapidly aging population and this is a big issue,” said Hawaii state Sen. Rosalyn Baker, a Democrat who chairs the Commerce, Consumer Protection and Health Committee. “People want to age in place and stay at home. We need to find ways to help them do that.”

More than a decade ago, Hawaii passed a law setting up a framework for a long-term care financial plan. Even before that, Hawaii created Kupuna (Hawaiian for “elder”) Care, a state-funded program aimed at keeping frail older adults in their homes by providing them personal care,
housekeeping or other services. The program is free and has no financial eligibility requirements, although priority is given to lower-income people who don’t qualify for Medicaid.

This year, Baker sponsored a bill that would have created a first-in-the-nation, public long-term care insurance program, adding a half-cent surcharge to the state’s excise tax on goods and services. The money could have provided residents about $70 a day for 365 days to pay for caregivers or respite care. The measure passed two committees but died in a third.

Baker said the bill would have saved the state money by reducing the number of people who would need to rely on Medicaid for in-home care. She said it failed because many of her colleagues were opposed to any tax hike in an election year. She plans to propose a similar measure next year.

Minnesota also has been planning ahead, and ranks first in a scorecard compiled by AARP and other groups on the quality of states’ long-term care systems.

Three decades ago, Minnesota placed a moratorium on nursing home beds and set out to build a community-based care system for older adults. The number of nursing home beds dropped from more than 48,000 in the late 1980s to about 29,000 last year, according to Loren Colman, an assistant commissioner for the state’s Department of Human Services.

More than 31,000 elderly people now get home- and community-based care through Medicaid, he said. Across the state, local agency staffers help them find services so they can stay in their homes.

“Most older adults are limited in their resources. They’re comfortable in their homes. They want to stay there,” Colman said. “They want services to be brought to them.”

Colman said Minnesota is fortunate that legislators, governors, advocates and policymakers all have been on board with the state’s long-term care vision.

That hasn’t been the case everywhere.

In California, Democratic state Sen. Carol Liu, who chairs a select committee on aging, proposed a bill creating a long-term care czar, setting up a consumer-friendly internet portal where residents could get information, and consolidating all aging and long-term care programs under one state agency. The czar and portal proposals didn’t fly. And Liu revised the reorganization provision to instead create a council that would collaborate on issues and develop a strategic plan.

Her bill passed both the California Assembly and Senate and was enrolled in August 2016, but was vetoed by Gov. Jerry Brown on Sept. 22. At press time, the Senate’s consideration of the governor’s veto was pending.

The bill faces stiff opposition from the state’s Health and Human Services Agency, which says it’s unnecessary and would be a financial and administrative burden. A Senate Appropriations Committee analysis estimates it would require about $600,000 in start-up costs and $425,000 a year in operational costs.

All of this frustrates Liu, who said after 20 years of hearings and studies about long-term care, California’s system remains fragmented, inadequately funded and ineffective. She said a patchwork of 112 programs in 20 different state agencies, departments and offices is responsible for long-term care, and staffers work in siloes and don’t communicate with each other.

Liu fears that the state isn’t prepared to handle the aging demographic, and points to a 2015 study that projects that by 2030, more than a million California seniors would require some type of personal care help. Another study estimates that the state’s Medicaid long-term care costs could grow from $6.6 billion a year in 2013 to as much as $12.4 billion in 2023.

“The situation is almost criminal,” she said. “If this continues and we don’t get our act together, by 2030, the costs to the state—and to our seniors—will be incredible.”

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About the Author

Jenni Bergal is a veteran journalist who covers the business of government for Stateline. She has been a reporter at Kaiser Health News, the Center for Public Integrity and the South Florida Sun-Sentinel. She is co-author of the book, City Adrift: New Orleans Before and After Katrina.

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There are now more Americans age 65 and older than ever before. About 1 in 7 people (15 percent) in the U.S. is now considered to be an “older American” or someone over the age of 65. Compare that to just 4.1 percent of the population in 1900 or 10 percent in 1970—and that figure will continue to increase in the decades to come.

According to the U.S. Census Bureau, the population age 65 and over in 2050 is projected to be 83.7M. That’s almost double the number in 2012—and equal to more than 20 percent of the population. This big swing is largely due to the baby boomer generation, which began turning 65 in 2011.

The Oldest Old

In addition to an increase in the older American population, those in that category are expected to live longer than ever. This group is called the “oldest old”—those ages 85 and older—and they currently only represent about 15 percent of the population ages 65 and older.

By 2050, there will be 19 million Americans in this category, representing more than one-fifth of the total population ages 65 and older.
State Population

The percentage of the population over the age of 65 varies significantly across states. Florida has one of the oldest populations, with about 19 percent of the state’s population over the age of 65. In addition, Florida is home to four of the top 10 counties with the largest percentage of people over the age 65. Florida, however, isn’t number one when it comes to older Americans—it comes in third behind West Virginia and Maine. The state with the fewest residents in the top age range is Alaska at 11 percent, followed by Utah and Texas. Compare that to 1960 when the national percentage of the population over the age of 65 was 9.2 percent and state rates ranged from a low of 2 percent in Alaska to 12 percent in Nebraska, Missouri and Iowa.

Fiscal Challenges

This significant demographic shift presents numerous fiscal challenges to local, state and federal governments. For example, while both Social Security and Medicare have contributed substantially to the decline in poverty rates for older Americans over the last 50 years, as Americans age and access these programs in larger numbers and for longer periods, their costs will inevitably increase.

In 1970, spending on both of these programs totaled about 4 percent of gross domestic product. By 2050, these expenditures are expected to reach 15 percent of gross domestic product. According to the Social Security Administration, 21 percent of married Social Security recipients and 43 percent of single recipients age 65+ depend on Social Security for 90 percent or more of their income.


Percent of U.S. Population

<table>
<thead>
<tr>
<th>Age Group</th>
<th>2012</th>
<th>2050</th>
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<tbody>
<tr>
<td>Older than 18</td>
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<td></td>
</tr>
<tr>
<td>18–64</td>
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<td>Older than 65</td>
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</tr>
<tr>
<td>Older than 85</td>
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What is the best state for retirement and aging?
If you ask this question, you are likely to receive a listing of states with more favorable and less favorable tax policies. Rifle through the state tax policies and any number of tax breaks will pop up. Some policies benefit everyone—the states that don’t impose any income taxes or sales taxes are examples. Then there are the specific exemptions for older taxpayers—certain types or amounts of income, including Social Security, pensions and retirement savings, property tax exemptions, and even some long-term care insurance deductions. While the fairness, value and efficacy of these tax policies may be in question, it is clear that tax policy, alone, isn’t what people who ask about the best states for retirement are really seeking. They are more likely looking for places with amenities and affordable services that will keep them comfortable and safe as they age.

“We think a lot about affordability but not necessarily in relation to taxes,” said Susan Reinhard, primary researcher and author of the State Scorecard on Long-Term Services and Supports for Older Adults, People with Physical Disabilities, and Family Caregivers. The scorecard was first published by AARP, The Commonwealth Fund and the Scan Foundation in 2011 then repeated in 2014 and is due again in 2017. Reinhard said the scorecard design turned the question about what state is the best for aging to focus on policies and practices directly focused on long-term care and services.
“Where you live really matters because there are very large differences across the states in how well they do the job of providing long-term care and services,” Reinhard said.

The scorecard is based on a vision of what a high-performing state would look like. The 2014 state scorecard measures states’ long-term care system performance across five key dimensions:

1. Affordability and Access;
2. Choice of Setting and Provider;
3. Quality of Life and Quality of Care;
4. Support for Family Caregivers; and
5. Effective Transitions.

A total of 26 indicators are examined and for 19 of those the change across time is also measured.

Minnesota is the highest scoring state on both the 2014 and 2011 scorecard.

“Minnesota has had a strategic plan for years. In town hall meetings and the like, the question of where do you want to be has been asked for years. Long-term care is always high on the list,” Reinhard said. “The state keeps their eye on the ball. I expect that they will be high on the 2017 scorecard as well.”

One of the major conclusions of the scorecard is that shifting service delivery toward home- and community-based services is critical. In some policy circles this allocation of services—and of funding—has been called balancing or rebalancing. Statistics compare the proportion of Medicaid funding, which paid for 51 percent of all long-term care supports and services across the nation in 2013 according to the Kaiser Family Foundation, used for institutional services and home- and community-based services. Pressures to change funding priorities come from at least two factors. As the baby boomer generation ages, consumer demand will increase for home- and community-based services, as elders increasingly demand adequate services and policies to allow them to age in place. In addition, the 1999 Olmstead decision by the U.S. Supreme Court affirmed the right of individuals with disabilities to live in their communities.
Medicaid Spending on Home- and Community-Based Care Surpasses Medicaid Spending on Institutional Care

*Note: Data for FY 1987 are excluded.


State and Local Policies on Community Livability Assist Aging

AARP developed its community livability index to promote great neighborhoods for all ages. If a community is highly livable it will be a good place for older adults as well. The web-based index looks at seven major livability categories:

1. Housing
2. Neighborhood
3. Transportation
4. Environment
5. Health
6. Engagement
7. Opportunity

States are scored as well as a significant number of communities within each state.

Incorporated into the index, which provides a numerical score, is whether the state or community has enacted 20 critical public policies. For instance, in the housing scoring area, affordability examines whether state and local housing trust funds have been created or what state foreclosure prevention and protection has been adopted. Transportation scores depend on whether state and community complete street policies, which require streets to be designed and operated in a way that ensures accessibility to all ages and abilities, are in place. Health scores include points for state smoke-free laws.

Vikki Wachino, director of the Center for Medicaid and CHIP Services within the federal government, when she spoke to state legislators at the CSG Medicaid Leadership Policy Academy in September, pointed to 2012–2013 as a watershed time. For the first time, the percent of long-term care Medicaid spending for home- and community-based services exceeded the percent of Medicaid spending for nursing homes and other institutional long-term care settings for elders and persons with disabilities. Wachino called the crisscrossing of the spending lines critical to fulfilling Medicaid goals to build stronger systems of care, provide more consumer choice and promote community integration.

Reinhard called out a few other states as particularly progressive on one or more of the dimensions of the long-term care service system. Washington state has a quite complete set of community-based supports and services in place. The state also has worked on building a system of transportation with many options to reduce dependence on personal automobiles. The system is helpful for seniors who no longer drive, as well as for residents of all ages who do not wish to own, or cannot afford, cars.

Connecticut has wrestled with how to close nursing homes and transition residents to assisted living and other less restrictive living arrangements. Reinhard said it has been a big policy lift for the state.

In New Jersey, casino revenues have been used to create a respite care program to provide relief to family members who often provide unpaid personal care services to older relatives.

“Oregon is an interesting long-term care support story,” Reinhard said. Going back to the late 1970s, retired teachers pushed to change services available in the state, demanding greater choice, independence and dignity. “These three words still drive policy today in Oregon,” she said. Oregon took on change—policy by policy.

“There has to be a guide post, a declaration that these are Oregon’s values,” Reinhard said. “States can’t just tread water. They have to declare a direction to head and then pick up the pace of movement.” In the 2014 scorecard, Oregon ranked third in the nation overall, with top five rankings in eight separate measures.
I HAVE VISITED 32 HOUSE DISTRICTS—THAT IS OVER 1 MILLION PEOPLE—AND TALKED TO OLDER ADULTS. THE TRUTH IS THEY WANT TO BE HOME.
WE HAVE A GREAT DEAL OF WORK TO DO. WE NEED A WHOLE RANGE OF SERVICES. THEY MUST BE ACCESSIBLE, AFFORDABLE AND OF HIGH QUALITY.”

Massachusetts state Rep. Denise Garlick, co-chair of the Joint Committee on Elder Affairs in her state, is looking to establish strategic recommendations to guide—and improve—supports and services for older residents. Her 2016 bill established a task force to set forward strategic recommendations to address the needs of older state residents of all income levels. She wants to bring together a new and different group of thinkers to battle ageism and set a plan for the future.

Garlick suggests that the underlying dynamics of ageism affect how older adults are perceived and have implications for policy and program development. It may be time to change the conversation from the negative descriptions of the “burden of aging” and the impending “silver tsunami” to identifying the magnitude of the economic engine of what some call the “longevity economy,” meaning the aggregate wealth of seniors and the impact of their spending and of the workers and industries that their activities and needs support.

“The state needs a vision for the healthy and active elders as well as those who are ill and frail,” she said. “We tend to look at older adults as patients, but they have vitality and are great sources of volunteerism and economic activity.”

“We have 1.4 million persons in my state who are over 60 but much of the state activity centers on the 200,000 older adults under MassHealth (Medicaid) and the 3.5 billion state dollars that provide them with services and supports. My sense is that everyone over 60 goes to bed at night, puts their head on the pillow, and worries about the uncertainty of their future,” Garlick said.

“I have visited 32 house districts—that is over 1 million people—and talked to older adults. The truth is they want to be home. We have a great deal of work to do. We need a whole range of services. They must be accessible, affordable and of high quality.”

Garlick is confident that the task force can develop a guiding vision that will reduce the uncertainty of older Massachusetts residents not just in the near future but for many years to come.

Providing Financial Security for Aging Generations

More than half of all Americans don’t have access to retirement accounts through their employer, but a handful of states have passed legislation to establish a state-sponsored retirement plan. These plans establish retirement savings plans for private-sector employees whose employers do not offer a workplace retirement plan. Neither the state nor the employer is required to contribute matching funds to the plan for employees’ benefit. The laws call for employees to be automatically enrolled in the plans, what some analysts called “nudging,” however, they are allowed to opt out of making contributions.

Illinois is closest to implementing such a plan. Called the Illinois Secure Choice Saving Program, it is to be fully implemented by 2017. Sponsor Sen. Daniel Biss explained the program as “an automatic enrollment IRA so that workers without employer-sponsored retirement plans still have an easy way to save for retirement using a payroll deduction and benefiting from low fees.”

“It’s still at a very early stage, because this is brand new. It’s not as if we can look to another state and copy what they’ve done,” said Biss in a January blog post. “I think the people are trying to be very conscientious about doing it in a way that they’re most likely to succeed so that other states can look at us and use us as a model and learn from us.”

The Sacramento Bee reported that California Gov. Jerry Brown signed into law Sept. 29, 2016, the final piece of legislation needed to establish a similar retirement savings program. In 2018, workers at employers with 100 or more employees will be able to participate. Within a year, it would apply to all companies with five or more workers.

According to the Chicago-based Sargent Shriver National Center on Poverty, Connecticut, Maryland, Massachusetts, Minnesota and Oregon are at various stages of planning or implementing a state-managed retirement plan. As many as half the states have considered legislation since California passed its first law in 2012.
Nebraska state Sen. Beau McCoy serves as the 2016 national chair of The Council of State Governments. Among the 16 percent of Nebraska’s legislators who are millennials, McCoy believes strong leaders should not be limited or defined by their age. He said leaders of all ages must come together to identify and achieve solutions to the challenges facing states—taxes, federal regulation, education and workforce development. McCoy, a 2011 Henry Toll Fellow, said he is inspired by so many public servants representing the three branches of government, with whom he has worked and forged lasting friendships over the years.

You were elected to the Nebraska Unicameral Legislature in 2008. What would you say has been the biggest issue facing Nebraska—and the Midwest region—in the years you’ve been in office?

“There is no doubt the main issue raised by Nebraskans is high property taxes, especially for agricultural land. Property taxes are tightly intertwined with our school aid formula, the Tax Equity and Educational Opportunities Support Act, or as it is commonly referred to, TEEOSA.

After the recession in the late 2000s and the slow recovery, budgets are tight for families and businesses. This is especially true for farmers and ranchers. Agriculture is not just our leading industry, but a proud way of life in Nebraska.”

How has the federal-state relationship changed during your tenure as a state legislator?

“The increase of (federal) one-size-fits-all regulations is burdening our states and citizens. Each state in our union is unique, with its own set of strengths and challenges. As state legislators, we understand these nuances and are best situated to address issues. Unfortunately, our counsel and advice usually falls on deaf ears in the federal government. We must work on developing a framework for states to have an active role in reviewing and reacting to adverse policies adopted at the federal level.”

You spent many years as a part of your family’s construction and ranching businesses. What lessons have you learned in the private sector that you’ve brought to the Unicameral?

“I grew up in the same sod house in which my great-grandparents raised their eight children. Fixing fences, putting up hay and calving heifers were part of my daily life for many years. When I was 16, I didn’t buy a car; I bought a tractor so that my brothers and I could start our own haying business and put ourselves through college.

Growing up in agriculture and owning a small business very simply meant that folks’ livelihood depended on me. I learned the value of working hard until the job is done. There are few things in life more rewarding than knowing you are contributing to the engine of commerce and to American free enterprise.”

You’ve been an advocate for children and education, both in Nebraska and through CSG’s workforce development initiatives. Why is this so important?

“As elected leaders, we are duty bound to provide the best education possible for all children. With workplace needs changing rapidly, state leaders must partner with industry leaders to proactively develop innovative solutions to educate and train our current and future workforce.
Nebraska’s manufacturers are a great example of the need for innovative solutions. We have a significant number of high-tech jobs available in our state, but not enough skilled workers to fill them. Manufacturers, educators and leaders are partnering together so our students are prepared to fill those positions and enjoy a good-paying career and a great quality of life for their families.”

You were elected at a young age. How can state leaders help foster a commitment to public service among today’s youth and young adults?

“I strongly believe that a date on the calendar does not define the effectiveness of a person. All too often, we as leaders treat those younger than us as not having enough life experience or maturity to serve our communities and states in meaningful ways. As leaders, we can, and should, invite young people to the ‘grown-ups’ table’ to participate in real solutions to real issues that will greatly affect their future.

Millennials make up 16 percent of the membership of the Nebraska Legislature. I am proud to be part of that 16 percent.”

As a father to five children who, with your wife, is in the process of adopting a child from China, how do you share the lesson of giving back with your children?

“Our family is greatly blessed. We are able to provide a safe and loving home to our children and enjoy a large extended family full of love and support that lives nearby.
As parents, Shauna and I consciously expose our children to some of the harsh realities others face—not only in Nebraska, but around the world. It may be ringing bells for the Salvation Army Tree of Lights or taking them to The Compassion Experience, which is an interactive journey through true stories of children living in developing countries.
The title senator may be in front of my name, but we serve in public life as a family. Our children have always been taught that it is our duty and responsibility as Americans to serve others in a variety of ways even when it sometimes involves tremendous sacrifice.”

Older Americans have so much to offer our states and communities. How can state policymakers help ensure seniors remain engaged in growing states’ economies and shaping state policy?

“Americans are living and working longer than in any other time in our history. Their life experiences bring a historical understanding to the challenges states face today and well into the future. We can often avoid repeating costly mistakes if we just stop and listen to the sage advice of these older Americans.
I was honored to be sworn in with the late state Sen. Dennis Utter, who was a retired banker. My first couple of years in the Legislature, he and I were always the first to get to the capitol in the morning. We would grab coffee and sit in Dennis’ office to go over the newspapers. His counsel and wisdom made me a better legislator, a better leader and a better person.”

How are states leading the way in addressing the challenges of today in the wake of federal gridlock?

“Holding tight to our beliefs and principles is possible while engaging in civil discourse.
Nebraska’s unicameral system of state government forces senators to work together. You must build a coalition of support for each piece of legislation. It is hard, time-consuming work that usually results in better legislation that enjoys broad, often bipartisan, support. With only 49 senators and one house, we succeed or fail together. It’s encouraging for me to see that many of our legislatures in states across America are finding ways to work together to solve the common challenges we all face.”

What have you gained from your work with other state leaders from across the country and the three branches of government through CSG?

“I was fortunate to attend my first CSG function just a few months after being sworn into office. My entire legislative career has been influenced by the hard-working and passionate public servants in all three branches of government that make up the membership of CSG. From governors to judges to fellow legislators, I am blessed to have made lifelong friends and forged strong bonds with individuals in every corner of the United States.”

When you reflect on your year as CSG national chair, what do you want your legacy to be?

“My legacy with CSG is no more or less important than the legacies of tens of thousands of public servants who have come before me. I get a lump in my throat every time I walk in a capitol building anywhere in America when I contemplate all of the dedicated Americans who gave, and give, so much of their time and treasure back to the states they dearly love. It has been a high honor and a privilege to lead our great organization for a brief moment in time. I will always consider myself a part of CSG for life.”
Congratulations to The Council of State Governments 2016 Henry Toll Fellowship Graduates!

Each year, the CSG Henry Toll Fellowship, named in honor of CSG founder, Henry Wolcott Toll, brings together a group of rising state leaders to Lexington, Kentucky, for an intense week of leadership training. Participants are encouraged to both evaluate and adapt the way they interact with each other and the world around them—setting aside titles, politics and party lines. Designed to help state officials from all three branches take an introspective look at how they view themselves as public servants, colleagues and community members, the program provides a unique experience unlike any other in the nation.

Group Photos of the 2016 Toll Fellows by Matt Goins
**Members of the 2016 CSG Toll Fellowship Class by region; members listed by order in photo.**

### CSG EAST

**First Row, From Left**
- Carling Ryan, Special Assistant to the Senate President Pro Tempore, Delaware
- Shelby Maldonado, Representative, Rhode Island
- Cynthia Armour Coyne, Senator, Rhode Island
- Barbara Rachelson, Representative, Vermont

**Second Row**
- Sheila Lee Rodriguez Martinez, Executive Director, Senate Housing Commission, Puerto Rico
- Lydia C. Blume, Representative, Maine

**Third Row**
- Joan B. Lovely, Senator, Massachusetts
- Gabrielle M. Lucke, Representative, Vermont
- Justin N. Leventry, Chief of Staff, Office of Sen. Scott Hutchinson, Pennsylvania

**Fourth Row**
- James H. Orlando, Senior Legislative Attorney, Office of Legislative Research, Connecticut
- Damian Des Stefano, Economic Development Policy Advisor, Office of the Governor, Delaware
- Jason Rojas, Representative, Connecticut

### CSG SOUTH

**First Row, From Left**
- Brian L. Prince, Representative, Georgia
- Nell Smith, Administrator, Policy Analysis and Research Section, Bureau of Legislative Research, Arkansas
- Jacqueline Bunn, Board Member, State Board of Pardons and Paroles, Georgia

**Second Row**
- Martha Wigton, Director, House Budget and Research Office, Georgia
- Jay Michael Hoke, Circuit Court Judge, West Virginia

**Third Row**
- Robert Patrick Paulson, General Counsel, Department of Administration, West Virginia
- Joseph Wood, Deputy Secretary of State, Arkansas
- George E. Young Sr., Representative, Oklahoma
- Keisha Waites, Representative, Georgia

**Fourth Row**
- Reginald Tate, Senator, Tennessee
- Marty E. Sullivan, Judicial Branch Education Director, Administrative Office of the Courts, Arkansas
- Ferrell Haile, Senator, Tennessee

### CSG MIDWEST

**First Row, From Left**
- Susan Concannon, Representative, Kansas
- Raymond Dehn, Representative, Minnesota
- Marcia Hultman, Cabinet Secretary, Department of Labor and Regulation, South Dakota

**Second Row**
- Ron Kresha, Representative, Minnesota
- Sara Howard, Senator, Nebraska
- John L. Kuehn, Senator, Nebraska

**Third Row**
- Joan R. Behan, Director of Operations, Housing Resources Corporation, Kansas
- John Patterson, Representative, Ohio
- Samuel P. Langholz, Administrator of the Administrative Hearings Division, Iowa

**Fourth Row**
- Damian Des Stefano, Economic Development Policy Advisor, Office of the Governor, Delaware
- Jason Rojas, Representative, Connecticut

### CSG WEST

**First Row, From Left**
- Kenneth Ito, Representative, Hawaii
- Deborah Armstrong, Representative, New Mexico
- Zack Hudgins, Representative, Washington

**Second Row**
- Steve Eliason, Representative, Utah
- Charisse Millett, Representative, Alaska
- Polly Lawrence, Representative, Colorado

**Third Row**
- Tyrone Thompson, Assemblyman, Nevada
- Doris Flores Brooks, Public Auditor, Office of Public Accountability, Guam
- Jodi L. Hack, Representative, Oregon

**Fourth Row**
- Eric Barlow, Representative, Wyoming
- Rick D. Youngblood, Representative, Idaho
- Heidi Swank, Assemblywoman, Nevada
- James R. Behan, Director of Operations, Housing Resources Corporation, Kansas
- John Patterson, Representative, Ohio
- Samuel P. Langholz, Administrator of the Administrative Hearings Division, Iowa
- Robert W. Taylor Jr., Representative, Iowa
- Tom Demmer, Representative, Illinois
Application Process

Individuals interested in applying for the 2017 CSG Toll Fellowship should submit the online application form and all supporting materials (i.e., letters of recommendation and support, completed questionnaire, resume) by midnight, Hawaiian Time, Sunday, April 23, 2017. Applicants are welcome to submit all application materials electronically.

- Online application form (please submit as soon as you know you want to apply!)
- One letter of nomination from a member of the applicant's state government
- Two letters of recommendation; these letters may be written by anyone with whom the applicant has served in state government, anyone who has been impacted by the applicant's leadership or anyone in a position to evaluate the applicant's leadership skills (letters from Toll alumni are recommended but not required)
- Current resume (limit to two printed pages)
- Completed questionnaire (available online)

What should I expect if I am selected?

- Keep an open mind. The Toll Fellowship is an intense leadership boot camp designed to encourage participants to evaluate how they interact with the world around them.
- Expect the unexpected. Toll Fellowship activities will take place both inside the classroom and in the Central Kentucky community. You will not receive agenda details prior to the experience—so be prepared to roll with the punches!
- Be prepared to push your limits. The Toll Fellowship will challenge participants to move out of their comfort zones and take an introspective look at how they view themselves as leaders. You will engage in a week of rigorous activity—both physically and mentally.
A very special THANK YOU to our 2016 sponsors for generously supporting CSG’s leadership development efforts.

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In-kind contributions were provided by Hyatt Regency Lexington, Gainesway Farm and the Keeneland Association.

2017 Applications Now Open!

Applications for the 2017 Henry Toll Fellowship are now open online at www.csg.org/tollfellows. The program will take place at the Hyatt Regency in Lexington, Kentucky, Friday, Aug. 25-30, 2017. Participants selected for the 2017 Henry Toll Fellowship also will be required to attend the 2017 Toll Fellowship Graduation Ceremony, which will take place during the 2017 CSG National Conference in Las Vegas, Nevada, Dec. 14-17.

Selection of participants is conducted by a panel of Toll Fellowship program alumni who review all applications received. Each year, only 48 participants are selected—12 from each CSG region. Participants selected for the program will be announced in June 2017.

Questions? Contact Kelley Arnold | Director, Communications & Membership | 800-800-1910 | tolls@csg.org
As Americans age, they look to live in communities where they can remain active and have transportation options once they are no longer able to drive. That’s a big concern for a state like Connecticut, which is largely thought of as a car-centric state.

“By 2025, 20 percent or more of almost every Connecticut town will be 65 and older,” said Christianne Kovel, senior policy analyst on aging at the Connecticut Commission on Women, Children and Seniors.

“Connecticut, while it’s a small state, has areas that are very, very rural. … Public transportation is not an option.”

The state Legislature has charged Kovel’s non-partisan, public policy research office with working with policymakers and stakeholders to come up with policies that can make Connecticut communities more livable for seniors to age in place and continue to get around.

“Livable communities are basically … where people want to grow up and grow older in,” Kovel said. “These are areas that offer affordable, accessible and diverse housing, transportation options, public buildings and spaces, all sorts of opportunities for community engagement.”

One part of making communities livable is a focus on complete streets, which are streets designed for safe access by all users, including pedestrians, bicyclists, motorists and transit riders. In many communities around the country, the roads may have been engineered with one goal in mind: moving cars quickly.

But that can make life difficult for seniors and others trying to navigate that environment.

“It is amazing how hard it is to fix these problems once you’ve made them,” said Beth Osborne, vice president for technical assistance at Transportation for America, who has worked with the states of Florida, Michigan and Vermont to implement complete streets policies. “Part of aging in place is being able to take care of your daily needs and if you can’t drive, in most communities that means you can’t take care of your daily needs. … Many people are hit by cars and harmed just trying to cross the street to reach a destination.”
Osborne is particularly proud of progress made in Florida, a state that is home to an ever-burgeoning senior population and one that has consistently ranked high in pedestrian deaths per capita.

“Florida has been off to the races,” Osborne said. “They are re-writing their entire state design guide … to get rid of a lot of the rules that are very typical of states that make it impossible to build a complete street, rules that push engineers to design wide, fast lanes and require them to go through a (time-consuming) and difficult exceptions process to do anything different.”

The enactment and implementation of more complete streets policies around the country, even in particularly rural states like West Virginia and Indiana, is an encouraging sign to Jana Lynott, senior strategic policy advisor at AARP, who manages the organization’s transportation research agenda. But Lynott remains concerned that state governments haven’t done enough when it comes to the policies AARP recommends to serve boomers as they reach retirement age.

“We're actually seeing … a loss in progress where states had enacted policies (and) mandates to form interagency coordination committees in order to better coordinate their human services and public transportation services,” said Lynott. “We're actually seeing a number of those expiring or their committees no longer meeting and just going defunct.”

And while many states and communities have invested in public transportation, not every older American is well served by transit.

“Only about 26 percent of boomers actually live in central cities where the public transportation services would be at their best,” Lynott said. “Given the changing demographics, it would seem that while we could all benefit from investments in public transportation broadly, it’s not a bad idea to carve out a certain amount of that additional revenue for senior transportation services for people who are not able to use the fixed-route public transportation service.”

Lynott said boomers want more on-demand types of transportation, such as rideshare services—also known as transportation network companies, or TNCs. But she also cautioned that if these services are to be an essential part of the transportation network serving seniors, additional training of drivers may be needed. Transit agencies in Boston and elsewhere have partnered with companies like Uber and Lyft to fill a need for more on-demand paratransit services.

“I think this is extremely important as public agencies are looking to lower their service costs by signing on through contracts with TNCs (that they make) sure these drivers know how to lift individuals if they need assistance getting in and out of the vehicle, how to do that properly without hurting the individual passenger or themselves,” said Lynott.

Lynott also would like to see TNCs that allow caregivers to remotely schedule a ride for their loved one and be able to track where they are via an app.

Analysts say the introduction of autonomous vehicles in the years to come would seem to hold promise as well, regardless of whether they take the place of personal vehicles or serve a more transit-like or Uber-like, on-demand function.

“I think both TNCs in the more immediate term and autonomous vehicles longer term do offer the potential to improve mobility for everyone, including older adults,” Lynott said. “But I think there is a need, especially through state policy, that state policymakers be looking at the rollout of these new technologies and services in a way that best meets older adults’ needs.”

Given the changing demographics, it would seem that while we could all benefit from investments in public transportation broadly, it’s not a bad idea to carve out a certain amount of that additional revenue for senior transportation services…”

» Jana Lynott, AARP senior strategic policy advisor
According to the U.S. Census Bureau, the population of Americans age 65 and older is projected to reach **83.7 million by 2050**. That’s nearly double the number of U.S. seniors in 2012, when the population stood at 43.1 million.

This growing population of older Americans has major implications for state policymakers and agencies that administer programs such as Medicare, Social Security, long-term care services and other programs for seniors.

With the rapidly aging population, state agencies that serve older citizens are preparing for increased demands following years of staff reductions and funding cuts as a result of the Great Recession, according to the National Association of States United for Aging and Disabilities. And despite the fiscal gains made in the recovery, state revenues for aging services have not grown as quickly as the demands for service, which are steadily increasing. That has led many states to restructure agencies serving older citizens and reshape the way services are provided to maximize service delivery despite constrained budgets.

Here’s a look at how state units on aging are structured and how they are working to address the growing needs of an aging population.

**Selection of State Aging and Disability Directors**

State aging agency directors are predominantly political appointees. When not appointed, agency directors are hired by a political appointee.

- **50%** Gubernatorial Appointment
- **8%** Other Means
- **2%** Appointed by a Board or Commission
- **40%** Hired by a Higher Ranking Official Within the Agency/Department

**Populations Served by State Aging Agencies**

While all state aging agencies provide services to older adults, many agencies have restructured in recent years, consolidating a variety of health and human service programs into a single organization.

100% of state aging agencies serve seniors. The following percentages of aging agencies also serve individuals with:

- **10%** Substance Use Disorders
- **18%** Mental Illnesses
- **31%** Intellectual/Developmental Disabilities
- **32%** Traumatic Brain Injuries
- **76%** Physical Disabilities

**Percentage of State Aging and Disability Staff Eligible for Retirement During the Next Five Years—2015**

States’ aging populations aren’t just affecting demands for service among state units on aging—many states are seeing a growing proportion of aging and disability agency staff who are eligible for retirement in the next five years. (Percentages reflect responding states)

- **21%** More than 25%
- **11%** Less than 5%
- **14%** Between 5 and 10%
- **25%** Between 11 and 15%
- **29%** Between 16 and 25%

Funding Senior Services

**State Funding of Aging Agencies**

State funding of aging agencies has improved with the recovery, following several years of federal and state spending cuts during the Great Recession, but challenges remain.

**62% of States** reported offsetting the impact of cuts to funding from the federal Older Americans Act and other programs in FY 2014. Most state agencies reported using state funds to compensate for federal funding cuts.

**41 States** reported no reductions in state general funds (FY2015) but **14 States** are considering programmatic reductions due to fiscal challenges.

**Medicaid Managed Long-Term Care**

Increasingly, state aging agencies are providing managed long-term services and supports, or MLTSS, programs.

*In 2009: 6 States had MLTSS programs*

*By 2015: 22 States had MLTSS programs*

**11 States** are in the planning process or considering implementing an MLTSS program in the future.

These complex programs include home- and community-based services and nursing home services.

**90% Of adults age 65 or older hope to stay in their homes**


**Area Agencies on Aging**

**Area Agencies on Aging**, or AAAs, were established by the 1973 Older Americans Act, or OAA, as community-based organizations with the mandate to assist older adults to live independently and with dignity in their homes and communities.

**Average AAA Budget by Funding Source**

While 40 percent of AAA programs are funded by federal OAA allocations, AAAs receive additional nonfederal funding to help carry out services such as HCBS, much of which comes from state governments.

**41% OAA Allocations**

**27% Medicaid**

**32% Nonfederal Dollars**

(state general fund revenues, local funding, other state funding, grants and cost-sharing consumer contributions.)

*Source: National Association of Area Agencies on Aging, “Area Agencies on Aging: Local Leaders in Aging and Community Living.”*
Wisconsin state Sen. Fred A. Risser represents District 26, including parts of the state’s capital city, Madison. The World War II veteran has tackled a number of issues in his 60 years in the Legislature—public safety and justice, education, and elections among others. He also has been a leader at the national level, having previously served as chair of the CSG Midwestern Legislative Conference and as a member of the CSG Executive Committee. And it appears that there is no slowing down for this practicing attorney and great-grandfather.

Here is a (busy) day in the life of Wisconsin state Sen. Fred Risser.

Risser and his wife, Nancy, enjoy coffee together at EVP Coffee Shop in Madison, Wisconsin, before starting the day’s activities. Risser represents the State Capitol area in the Legislature and lives in his State Senate district.

Risser meets with a constituent in his Capitol office. When the Legislature is not in session, he spends mornings in the Capitol and is available for meetings with constituents.

Risser is an avid bicyclist and enjoys a noon biking break whenever he gets the chance. He generally rides about 20 miles a trip.
DID YOU KNOW? Sen. Fred Risser is the longest-serving state legislator in the history of Wisconsin and the entire United States. First elected to the Wisconsin State Assembly in 1956, he was elected to the State Senate in 1962. He has served as senate president for a total of 25 years.

Afternoon meetings are often scheduled. Here, Risser listens to budget requests from the University of Wisconsin-Madison, which is in his legislative district.

For Risser, the day often doesn’t end at 5 p.m. Here he attends an evening listening session held during the legislative session.

In addition to his legislative work, Risser is on the Board of Directors at Circus World Museum, headquartered in Baraboo, Wisconsin, about 40 miles north of Madison.
ELDER FINANCIAL ABUSE

by Oregon Attorney General Ellen Rosenblum

Elder financial abuse costs older Americans $2.9 billion per year. In one year alone, reports of financial exploitation in Oregon increased by nearly 20 percent and represented almost half of all abuse investigations conducted by the state.

That’s why fighting elder abuse has been a priority for me since becoming Oregon’s attorney general in 2012. Since then, I’ve worked hard to prevent and address the financial exploitation of older Oregonians.

Elder Abuse Unit
Earlier this year, I asked the Oregon Legislature to fund one permanent full-time elder abuse resource prosecutor and two permanent full-time investigators to provide investigative support at the prosecutor’s direction.

Ten organizations, including AARP, Legal Aid, the Oregon State Bar and the Alzheimer’s Association, all voiced their support for the new positions and the Oregon Legislature listened. In March 2016, the Oregon Department of Justice’s elder abuse unit was funded, making Oregon the second state in the country to have a statewide prosecutor devoted entirely to elder abuse.

I’m confident these positions will increase Oregon’s capacity to stop elder abuse by providing training, technical assistance and legal expertise to district attorneys, law enforcement and others who work with older Oregonians.

While Oregon has specific laws that criminalize the abuse, neglect and exploitation of older adults, these cases can be difficult to prosecute. Many involve the victimization of older adults by family members or others with whom they have an ongoing relationship. Victims may also be slow to recognize and report abuse, and reluctant to cooperate with criminal justice professionals.
“IT’S NO SECRET THAT WELL-INFORMED OREGONIANS ARE MORE LIKELY TO RECOGNIZE FRAUD AND ABUSE, AND LESS LIKELY TO BECOME VICTIMS, OR WATCH THEIR FAMILY MEMBERS BECOME VICTIMS.”

Medicaid Fraud Unit
The creation of an elder abuse unit complements the work by the Oregon Department of Justice’s Medicaid fraud unit. This unit investigates and prosecutes Medicaid provider fraud as well as patient abuse or neglect in health care facilities and board and care facilities in Oregon. The unit has a long history of aggressively prosecuting individuals who victimize vulnerable elder and disabled Oregonians.

In May 2016, the unit prosecuted a fiduciary who targeted nearly 30 veterans. Lisa Bayer-Day, a nationally certified professional fiduciary, was convicted of multiple counts of criminal mistreatment in the first degree and aggravated theft in the first degree, theft in the first degree, money laundering and personal income tax evasion. The judge sentenced Bayer-Day to 48 months in prison and ordered her to pay more than $117,000 in restitution to the victims.

Consumer Protection Unit
In addition to the newly created elder abuse unit and the Medicaid fraud unit, Oregon has one of the most innovative consumer protection programs in the country. Not a single taxpayer dollar is spent on Oregon Department of Justice’s efforts to protect Oregonians from scams and fraud. In fact, Oregon’s consumer protection program at the Oregon Department of Justice operates solely on funds recovered from companies that break the law. And a lot of those companies target older adults.

For example, last year I announced a $3 million settlement and an agreement from a White City, Oregon, enterprise that operated a fraudulent nationwide subscription scam to permanently stop doing business. This company ran a sophisticated national operation that generated millions of dollars each year from older consumers who thought they were doing business with a reputable magazine or newspaper publisher, but were instead working with a company that made its money by scamming them. I’m happy we were able to shut them down and provide restitution to eligible consumers.

Outreach to Older Oregonians
While efforts to respond to cases of elder financial abuse are critical, they are only part of a more comprehensive policy equation. That’s why in addition to prosecutions and litigation—which can be quite expensive—the Oregon Department of Justice also has invested in education and outreach.

It’s no secret that well-informed Oregonians are more likely to recognize fraud and abuse, and less likely to become victims, or watch their family members become victims.

For more than 20 years, the Oregon Attorney General’s consumer hotline has helped consumers file complaints and answered questions about business practices, frauds and scams. The hotline is staffed by a team of dedicated—mostly retired—volunteers who personally fielded more than 47,000 calls last year.

In addition, Ellen Klem, a full-time employee, travels the state educating seniors on how to avoid becoming a victim of financial exploitation, fraud and scams. When she’s not presenting, she helps spread the word by creating and distributing brochures, fliers, posters, scam alerts and other educational material aimed at older Oregonians and the individuals who serve them.

The latest campaign, “Just Hang Up!” was released this summer on World Elder Abuse Day—June 15, 2016—to educate Oregonians about imposter scams and fraudulent phone calls. You can download the “Just Hang Up!” poster online at http://www.doj.state.or.us/consumer/pdf/just_hang_up_poster.pdf.

Elder financial exploitation is a growing epidemic in Oregon, and I have committed to do everything I can as attorney general to prevent it, address it and hold perpetrators accountable.

About the Author
Ellen Rosenblum was elected to serve as Oregon’s 17th attorney general in November 2012, the first woman to serve in that role in the state’s history. Previously, she served as a federal prosecutor and a state trial and appellate judge. She currently serves on the Executive Committee of the National Association of Attorneys General.
The Texas Legislature passed 10 bills in 2015 reforming the legal framework governing guardianship in the state, a feat that Texas state Sen. Judith Zaffirini, who sponsored or co-sponsored all of the bills, attributes to cooperation and communication between the Legislature, which creates guidelines that govern the process; the courts, which are primarily responsible for establishing and overseeing guardianships; and executive agencies that provide public guardianship services for those who do not have appropriate family members to serve as guardians.

“The guardian is a very powerful person, so the courts have tremendous power,” said Zaffirini. She said she understood this most vividly when while a visiting nursing home, a resident named James Ryan requested to see her. He was almost entirely paralyzed due to a stroke, but was able to communicate via a specially-equipped computer.

“He wrote me a letter using his computer, which then read it to me, thanking me for my work,” she said. “I was so moved. To this day my staff and I work with James Ryan.” At his request, Zaffirini and her staff had Ryan transferred out of the nursing home and arranged for a family member to be paid to care for him.

“His mind is clear as it can be, but he felt he had no power—he said he couldn’t even commit suicide if he wanted to,” she said. “You don’t know what is going on in a person’s mind.”

The process for placing an adult under guardianship varies by state, but each branch of government plays a role in ensuring guardianship is a safe and effective mechanism for protecting individuals who can no longer make or communicate sound decisions about themselves and their property, or have become vulnerable to abuse, fraud or undue influence.

“My staff has been instructed to reach out to everyone who is interested in the topic and invite everyone—no matter how deep their disagreement—or whether they support our priorities or oppose them, to come to the table and help us pass even better legislation than we passed last time,” said Zaffirini.

Texas’ Guardianship Compliance Project was born out of this cooperative approach. The pilot project, which is funded by the

by Lisa McKinney
In Texas, all guardians are required to obtain bonds—a sort of insurance policy that protects the person in guardianship should the guardian mishandle assets. In one county, the Compliance Project found about 40 percent of cases had guardianship bonds waived, even though there is no statutory authority for waiving bonds. “We realize it is not just a matter of passing good laws, but also enforcing the laws we have,” said Zaffirini. “For example, what good does it do us to have a law on bonds of a guardian if a judge is going to, without authority, waive that bond? So we have to be vigilant and ensure that the laws that we pass are good laws but that we also pass any additional laws that we need to prevent and identify any abuse in the system.”

They also found numerous cases of guardians mishandling or misusing assets. “In many cases there is no annual report, there is no initial inventory, there are questionable expenditures and there are missing assets including—listen to this—an airplane,” said Zaffirini. “How do you lose an airplane?”

Zaffirini also engages with the judiciary and other stakeholders through her appointment to the Texas Judicial Council’s Elders and Mental Health committees. The council consists of judges from all levels of the judiciary, legislators and citizen representatives. The Elders Committee makes recommendations to the Texas Judicial Council, and the Working Interdisciplinary Networks of Guardianship Stakeholders, or WINGS, makes legislative recommendations, which Zaffirini and other engaged legislators can carry to the Legislature. “It is direct engagement,” said Zaffirini.

WINGS, created by the National Guardianship Network, is a partnership between court and community guardianship stakeholders to help states improve judicial processes, protect individual rights and meet needs, address insufficient funding, and ensure guardian accountability and fiduciary standards. In 2013, the program was piloted in four states—New York, Oregon, Texas and Utah. In 2015, it was expanded to Indiana; Minnesota; Mississippi; Washington; Washington, D.C. and Wisconsin.

“WINGS-MN brings together many stakeholders in our state,” said Judge Jamie Anderson of Minnesota’s Hennepin County District Court. “There are approximately a dozen local WINGS groups across the country, so we can learn from each other and avoid recreating the wheel.”

“We work together to brainstorm ways to improve guardianship, work with the community and develop options for avoiding guardianship, when that’s appropriate,” Anderson said.

Participants in Minnesota include representatives from the Veterans Administration, the Social Security Administration, the state Department of Human Services’ Adult Protective Services, and the Minnesota Association for Guardianship & Conservatorship, as well as the state court administrator and attorneys. Anderson said the group acknowledges the need for guardianship, while also partnering with all the different players involved in the process to improve guardianship and create less restrictive alternatives to full legal guardianship.

Anderson is collaborating with WINGS in Minnesota’s 4th Judicial District to provide online and in-person training for guardians and conservators prior to appointment. Guardians may be required to retake the training if there are issues with timeliness and quality of annual reporting.

Although interbranch cooperation often leads to improved outcomes for those under guardianship, the three branches don’t always agree on the course of action. “I am in Cook County and the Cook County public guardian had concerns that a number of the pieces of legislation were going far too fast in taking power away from (his office),” said Illinois state Rep. David Harris, who sponsored a bill clarifying that a temporary guardian’s powers and duties are limited to what is enumerated in a court order. “House Bill 2504 dealt with length of temporary guardianship. I was going to shorten from 120 to 90 days, but the public guardian felt that wasn’t enough time for courts to review.”

Harris said engaging with the public guardian helped him understand what they were willing to compromise on. “You need to get that interaction to make sure the legislation has support to pass,” he said.
States of RETIREMENT

by Carrie Abner

A generation ago, retirement meant slowing down for most older adults—spending hours on the front porch swing, working crossword puzzles and playing the occasional game of Bingo.

That was then, THIS IS NOW.

“It’s one of the great success stories of not only our country, but around the world, that people can be expected to live 20 or 30 years beyond the age of 65,” said Nora Super, chief of programs and services at the National Association for Area Agencies on Aging, or n4a. “And with this new opportunity, people are rethinking what that means and how they want to spend their time.”

Super, who previously served as executive director of the White House Conference on Aging, said a growing number of seniors are searching for, and finding, purpose in retirement through volunteerism.

According to the Corporation for National and Community Service—a federal agency that operates AmeriCorps, Senior Corps and other national service initiatives—24 percent of the nation’s seniors, volunteered in 2014, contributing 2 billion hours of service.

“Ten thousand people a day turn 65—that’s a great pool of potential volunteers,” said Peter Lane, director of leadership and volunteer development for n4a. “This is probably the most educated and experienced generation in the history of the United States, so it’s a really great resource for society to tap.”

According to Lane, the benefits of senior volunteerism are far reaching.

Jim Hansen, 80, spent 40 years as a lineman for the local electric company, and 38 years as a volunteer fireman for the Benson Fire Department in Benson, Arizona, when he retired in 2001. “When I retired, all I was doing was sitting at home, watching TV,” Hansen said. “So when he heard that the nearby Kartchner Caverns State Park was looking for volunteers, he jumped at the opportunity.

Hansen serves as a visitor services volunteer, driving the park tram in the morning and welcoming visitors at the park gatehouse in the afternoon.

“For months ago, I surpassed 26,000 hours of volunteer time,” he said. “I just really enjoy volunteering.”

His dedicated service has earned him a number of awards over the years, as well as an impressive collection of hat pins from all over the world gifted by park visitors, which he shows off on his signature cowboy hat. He said when one hat runs out of room, he simply buys a new one. He’s now filling his fifth cowboy hat with pins.

“I even have a bridge named after me here at Kartchner Caverns,” he said. “We call it the Jim Hansen Bridge. I drive (the tram) over it every day.”

The Jim Hansen Bridge even helped two recent visitors discover they were relatives of the tram driver. Seeing the name on the bridge during the tram ride, the ladies asked who Jim Hansen was, and he replied, “That’s me.” After a few more questions, the women—one from California and the other from Colorado—discovered they were Hansen’s relatives.

For Hansen, volunteering with the Arizona State Parks is a way to stay connected and active during his retirement. “It gives me a little exercise, keeps me moving,” he said. “I think it’s healthier for me.”
When Doc Ashby, 80, retired from his job as a mid-level manager with a telecommunications company in 1996, he quickly found himself in a caregiving role for his wife. “She started forgetting things, started doing strange things, and I didn’t know where to turn and which way to go,” said Ashby. During a trip to the doctor, they soon learned she needed around-the-clock care.

“She started going to the adult day center and that left me alone,” said Ashby. But an advertisement for volunteers for the Loudoun County Area Agency on Aging’s Medicare and tax preparation programs opened a door to a second career for Ashby.

“It started with me having spare time and having nothing to do,” said Ashby, “and I found it very rewarding to help others.”

When he took on his volunteer role, Ashby wasn’t yet eligible for and knew very little about Medicare. “I found it challenging to study and learn the information I needed to do it,” he said.

These days, Ashby spends about 35 hours a week counseling other seniors on Medicare and tax preparation during the busy season—from September to April.

Ashby also counsels caregivers who are helping their aging loved ones.

“I can associate when they come to me as being where I was when my wife was sick—not knowing which direction to go, not knowing what decisions to make, not knowing what to do. To be able to point them in the right direction, that leaves me feeling good at the end of the day,” said Ashby. “Often tired, but good.”

And Ashby said volunteering keeps him feeling good physically, too. “Being active and keeping our bodies physically active—going places, doing things, learning new things,” is important, he said, and he encourages others his age to do the same.

“Get out of the rocking chair, get busy and volunteer!”

Older adults tend to have a variety of appointments, and making sure there are ways for seniors to get to them is a priority for Regina Allen, 66.

“My concern has always been transportation, particularly for seniors, the homeless and disabled,” said Allen. “How do they get from one appointment to the next? Where is the funding? Can we car share? Can we bus?”

Since 2009, Allen has served as a volunteer representative, appointed by the Office of the Governor, on Michigan’s State Advisory Council on Aging, a body she first became involved with during her career with the Social Security Administration.

Allen also volunteers daily at local schools in Lansing, Michigan—a role she happened upon after donating school supplies to a neighborhood school with high-level needs.

“I got a chance to really see for myself up front that (the students) needed attention, they needed love,” said Allen. “It was a good experience for me.”

For Allen, volunteering for the State Advisory Council on Aging and in Michigan’s schools is an extension of her career in public service. “I always said that I was blessed to get into the federal government for 40 years, and I thought I did some good helping troubleshoot for the Social Security Administration and for the state of Michigan,” said Allen. “I’m not going to stop volunteering as long as my health permits.”

And she doesn’t seem to be slowing down any time soon. “Some people say I’m a mover and shaker;” said Allen. “My mother called it ‘nervous energy.’”

When Doc Ashby, 80, retired from his job as a mid-level manager with a telecommunications company in 1996, he quickly found himself in a caregiving role for his wife. “She started forgetting things, started doing strange things, and I didn’t know where to turn and which way to go,” said Ashby. During a trip to the doctor, they soon learned she needed around-the-clock care.

“She started going to the adult day center and that left me alone,” said Ashby. But an advertisement for volunteers for the Loudoun County Area Agency on Aging’s Medicare and tax preparation programs opened a door to a second career for Ashby.

“It started with me having spare time and having nothing to do,” said Ashby. “I found it very rewarding to help others.”

When he took on his volunteer role, Ashby wasn’t yet eligible for and knew very little about Medicare. “I found it challenging to study and learn the information I needed to do it,” he said.

These days, Ashby spends about 35 hours a week counseling other seniors on Medicare and tax preparation during the busy season—from September to April.

Ashby also counsels caregivers who are helping their aging loved ones.

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“Get out of the rocking chair, get busy and volunteer!”

Regina D. Allen, Volunteer Senior
Michigan State Advisory Council on Aging
Lansing, Michigan

Gilbert “Doc” Ashby, Medicare Counselor
Loudoun County Area Agency on Aging
Hamilton, Virginia

READER'S RESPONSE:

What are some ways you stay active and engaged in your community?

READER'S RESPONSE:

I volunteer at the local food bank and help with community events. It keeps me active and connected.

READER’S NOTE:

For more information on volunteering opportunities, please visit the websites of local organizations or contact your state’s Office of the Governor.

READER’S NOTE:

Understanding Medicare and tax preparation can be complex. Seek assistance from local agencies or online resources to ensure you receive the best care possible.

READER’S NOTE:

To connect older adults to transportation services, contact your local Senior Services agency or explore community resources.

READER’S NOTE:

Volunteering is a great way to stay active and engaged. Consider reaching out to local organizations to see how you can make a difference.

READER’S NOTE:

Remember that it’s important to take care of yourself as you age. Find activities that keep you active and healthy.”
More than a decade ago, analysts were predicting the next big challenge for state governments: The mass retirement of baby boomers. Then the Great Recession hit and those same baby boomers stayed put, delaying retirement until more prosperous times returned. Now that the economy is on the path to recovery, baby boomers are resuming their retirement plans.

“Nearly all states have 30 percent or more of their employees eligible to retire within the next five years,” said Leslie Scott, executive director of the National Association of State Personnel Executives, a CSG affiliate organization.

According to Scott, baby boomers are finally starting to retire—not only because the economy improved, but also because of changes states have implemented or may implement in their retirement systems.

The National Association of State Retirement Administrators reports that, while states have continually tinkered with their public retirement programs over the years, reforms to public pension plan design and financing really ramped up in the years after the recession.

Those reforms took many forms, but common components included requiring employees to contribute more money toward retirement and/or decreasing benefits. For example, employees in more than 40 plans in 36 states were affected by increases to member contribution rates, most of which were permanent.

Higher costs and fewer benefits provide a significant impetus for baby boomers to go ahead and retire—and that’s just what is happening.

This mass exodus creates a number of challenges for states, including the fiscal impact of so many employees accessing benefits as well as concerns from a human resources standpoint.

“There is a huge concern regarding loss of institutional knowledge and a general lack of skill sets needed,” said Scott. “During the recession, middle management was one of the areas targeted for layoffs. Therefore, there are fewer seasoned managers to take higher-level management positions being vacated by baby boomer retirees. In addition, training was reduced drastically during the recession, which also is a reason some employees aren’t prepared to take on roles vacated by baby boomers.”

In addition, Scott said turnover remains high for employees who have worked in state government for five years or less. “This is due to several things including a generation that doesn’t expect to work for
one employer of the course of their career. In addition, compensation—particularly cash—is simply not competitive with the market."

In New York, state leaders saw this trend coming and they’ve taken steps to make sure the transition is less painful.

“We have anticipated these retirements for a long time and planned for them in the retirement system,” said Tania Lopez, deputy press secretary for New York state Comptroller Thomas P. DiNapoli.

The New York State and Local Retirement System has more than 1 million members, retirees and beneficiaries, and more than 3,000 employers, making it one of the largest public retirement systems in the country. The comptroller is responsible for managing the retirement system’s 346 different benefit programs, which taken together comprise one of the largest institutional investors in the world, valued at more than $176 billion as of March 31, 2014.

In New York, maintaining good data and regular examination of those data is key to the planning process.

“The comptroller’s staff regularly reviews the number and types of employees who may be eligible to retire for succession planning purposes,” said Lopez. “For retirement services, our actuary tracks and factors in the age and service of our retirement system members in our calculations. We cannot predict when people will retire, but we know how old they are and how much service credit they have.”

Just keeping good data isn’t enough—it has to be used to make fiscal decisions that are forward-thinking. “The demographics of our members are factored into our calculations of how much money is needed for the pension fund on an annual basis. We factor in member and retiree longevity using the latest measurements and monitor the number of members who leave and enter the workforce,” said Lopez.

Keeping newly retired public employees secure and happy is not just a good strategy for recruiting qualified employees; it’s also an economic development strategy.

“Because public employees can rely on the stability of a defined benefit pension, 78 percent of our public-sector retirees remain in New York, contributing to our local economies,” said Lopez.

In 2015, retirees of the New York State and Local Retirement System were responsible for $11.7 billion in economic activity in New York state. “Retirees spend a larger than average share of their income on industries that benefit local businesses and they are responsible for an estimated 65,850 jobs as a result of this spending, outside of New York City,” said Lopez. □

Because public employees can rely on the stability of a defined benefit pension, 78 percent of our public-sector retirees remain in New York, contributing to our local economies.”

» Tania Lopez, deputy press secretary for New York state Comptroller Thomas P. DiNapoli

baby boomer exodus
With a strong professional background in long-term care and working with older adults for more than 20 years before entering public service, I learned not to make assumptions about how people age. We all age differently. We live different lifestyles and make different choices at all points along life’s timeline, including through our 70s, 80s, 90s and beyond.

It is imperative to recognize the individuality of our older constituents and not generalize or assume—you know the adage about when we assume—that their needs are the same or even similar.

We can best serve our older constituents by recognizing that many are still working well into their 70s and 80s. We should also recognize that some younger folks in their 50s or 60s may have serious health and living challenges as they grow older as a result of a variety of circumstances—less education, lack of access to fresh and nutritious food, poor paying employment opportunities, and a lack of timely healthcare.

“Older” is often defined as age 65 and up—an arbitrary number established in the 1930s when Social Security was established. Federally, it is defined as 60 and up for purposes of funding that emanates from the Administration on Aging.

It is interesting how we view life from our own personal lens. Having turned 60 this year, I can assure you I don’t relate to the term “older” and certainly not “elderly.”

My Aunt Bonnie, who passed away two years ago at the age of 89, was barely interested in reading the paper or any type of newsletter but had many opinions on what policy should be in place to make our communities’ better places to live, work and play. Before retiring she owned a women’s boutique and once worked as a garment factory worker. She was informed by a lifetime of her experiences and had a high expectation that in my role as a state elected official I would try to correct the “ills of the world.” We discussed policy and the gaps in the system regularly and she was not shy in advocating for systems and services that were easier for the everyday person to navigate. She was clear that government made life too difficult on many days.

Can You Hear Me Now?

by Pennsylvania state Rep. Pamela A. DeLissio
HERE ARE FOUR SIMPLE TIPS FOR COMMUNICATING WITH CONSTITUENTS OF ALL AGES:

01
Involving older constituents. Many of our older constituents have made significant contributions to their community over many years and are still interested in lifelong learning and making similar contributions. Older constituents can help with petitions and letter writing campaigns to advocate for policy and are always welcome at the capitol to see the legislature in action.

02
During public speaking events, speak clearly, slowly, and at an adequate volume to ensure that audience members can hear you. Watch the body language of the audience to make sure no one is struggling to hear. Older constituents are not the only ones who may have a hearing deficit.

03
When calling constituents’ houses to remind them of events, such as the monthly town hall events I hold in my district, speak clearly and slowly. Too many times we all receive rushed voice messages that are difficult, if not impossible, to understand.

04
When publishing material for constituents, ensure that the font size and color contrast are appropriate for older eyes and that the layout is crisp and not distracting. If it works for someone who is older, it works for younger constituents, too.

Sylvia, a lively and active nonagenarian, is everywhere in the community—the senior center, a park where she volunteers, at the local historical society, as a caregiver for a family member who lives outside her community, and in her church. She has more energy than most people 20 years her junior. Sylvia receives my email communications that are sent twice a month, but she does not have her own computer. Rather, she uses the computer at her senior center, so she may not receive information that is time sensitive in a timely manner depending on when she is able to visit the center.

My Aunt Em, 97, has been an email user for more than a decade—a somewhat late adopter, but an adopter none the less. She is signed up for updates from her local, state, and federal elected officials and the political party with which she is registered. She is also now on Facebook. A few months ago I was startled to see her comment on one of my posts and find her continuing comments to be insightful and encouraging; she is after all my aunt. She also Skypes and has participated in my telephone town hall events.

Likewise, my father, in his late 70s in the mid-2000s, was fascinated by search engines and the ability to reconnect electronically with long-lost friends. Initially reluctant to use an email device—a gift from his children—it wasn’t long until he requested a desktop computer.

I share these stories to ensure that we understand the range of older constituents whom we serve and how we can reach them in many different ways. Stereotypes do not always hold true.

We all absorb information in different ways. Some of us are visual learners, others auditory, and literacy levels vary, all of which should be considered as we endeavor to keep our older adult constituents engaged.

Engaged citizens will indeed be the result when we recognize that we, as state officials, should use multiple methods of delivering our message; this will better ensure that they will all “Hear Us Now,” and more importantly, we will hear them.

About the Author
Pennsylvania state Rep. Pamela A. DeLissio has served in the Pennsylvania House of Representatives since 2010, where she chairs the Aging and Older Adult Services, Care and Services Subcommittee. Prior to her election to the General Assembly, she had nearly 30 years of experience in the fields of long-term care and small business ownership. DeLissio is a 2013 graduate of the CSG Henry Toll Fellowship program.
In the wake of Hurricane Matthew’s destructive path along the coasts of Florida, Georgia, South Carolina and North Carolina, states as far away as California deployed resources to assist in the storm’s aftermath, thanks to the Emergency Management Assistance Compact, or EMAC, the nation’s interstate mutual aid system. Administered by the National Emergency Management Association, a CSG Affiliate, EMAC provides legal protections for deploying personnel across state lines to assist in the response to an emergency, including workers’ compensation, tort liability, licensure and reimbursement. All 50 states are members of the compact as well as the District of Columbia, Guam, the Virgin Islands and the Commonwealth of Puerto Rico. As of October, at least 14 states had provided resources through EMAC in response to Hurricane Matthew, including the deployment of incident management teams, environmental debris teams, National Guard aircraft, search and rescue teams, structural damage assessment teams, mobile field hospitals, and emergency management personnel. For more information, please visit www.emacweb.org.

The Border Legislative Conference, or BLC, a program of CSG West and CSG’s Southern Legislative Conference, which annually brings together legislators from the 10 U.S. and Mexico border states, met for its 30th forum Sept. 28–29 in Saltillo, Coahuila, Mexico. Cooperation on energy development, joint tourism, some U.S. states’ efforts to recognize community IDs and the status of judicial reforms in Mexico were all among issues discussed.

More detailed information about this year’s event will be available soon on the BLC website: www.borderlegislators.org. Next year’s meeting location and the 2017 vice chair will be announced in the coming months.

The Council of State Governments’ Southern Legislative Conference held its training program for emerging state government leaders Sept. 24–28 at the University of Arkansas’s Winthrop Rockefeller Institute. The Center for Advancement of Leadership Skills, or CALS, program engages selected state officials with activities and instruction to refine four central leadership competencies: communication, conflict resolution, consensus building and critical decision-making. Each year, CALS participants gain a unique opportunity to foster connections, engage in conversations, and explore individual boundaries and perceptions in a strictly nonpartisan environment.

For more information about the CALS program, please contact Lori Moore at 404-633-1866 or lmoore@csg.org.

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Jack Cobb, senior policy analyst in the CSG Washington, D.C., Office, recently received the U.S. Department of Commerce’s Silver Medal for Leadership. The medal, the second highest honorary award given by the department, was awarded by U.S. Secretary of Commerce Penny Pritzker on Sept. 27 in recognition of Cobb’s contributions to the U.S. Cluster Map and Registry project. Cobb served as a project officer to the initiative, which worked with the European Union, India, Korea and Mexico to establish partnerships and improve trade relations through the use of cluster data that allow businesses and economic development organizations to compare industry sectors between respective countries.

The Interstate Medical Licensure Compact Commission convened Monday, Oct. 3, in Kansas City, Kansas, for its first meeting since the passage of the Interstate Medical Licensure Compact, or IMLC, in Colorado and Mississippi. The IMLC was created in part to expand patient access to care and to create a process for expedited licensing for doctors who qualify to practice in multiple states. CSG’s National Center for Interstate Compacts provides day-to-day assistance for operations of the commission and provides legal guidance and technical assistance.

The Military Interstate Children’s Compact Commission, or MIC3, held its 2016 Annual Business Meeting on Oct. 26–28 at the World Center Marriott in Orlando, Florida. Strategic planning headlined this year’s meeting focusing on the compact’s new vision, mission and developing action plans to serve stakeholders more effectively. The commission also launched a rebranding effort, with a new logo and collateral materials.

The MIC3 is a governmental entity operating under the Interstate Compact on Educational Opportunity for Military Children, and is a CSG Affiliate organization.

For more information about MIC3, visit: www.mic3.net.

CSG Midwest’s UNDER THE DOME initiative reflects a commitment that the Midwestern Legislative Conference has made to bring more in-state training to its members: the region’s state legislators.

With help and guidance from legislative leadership in individual states, Under the Dome delivers customized training to lawmakers inside their state capitols—briefings covering important policy areas and workshops focused on professional development and consensus building. Workshops have been held on Great Lakes policy, ethics training, health policy, promoting entrepreneurship and Medicaid expansion.

For more information, contact director Mike McCabe at mmccabe@csg.org or 630-925-1922.
After more than four decades in public office, New York state Sen. Hugh T. Farley announced earlier this year that he would not run for re-election and would retire at the end of 2016 to spend more time with family. Farley, also Senate vice president pro tempore, was first elected to the New York Senate in 1976, making him its second longest-serving member. Before his Senate run, Farley served as councilmember and, later, as town council majority leader in Niskayuna, New York.

His long public service career has resulted in numerous accolades and accomplishments. “I’m very proud of my career,” Farley said. “I feel I’ve accomplished quite a few things.” In 1979, he became the first chairman of the Aging Committee in the state Senate and has supported aging policies throughout his career. Known as the national Father of Hospice, Farley authored the nation’s first hospice law, and New York became the first state to adopt a comprehensive hospice program.

Farley said he also came up with the idea for respite care, which helps caregivers to take time off when caring for the elderly. Today, as the elderly population continues to grow, states must continue to work to keep these individuals healthy and out of nursing homes, Farley said. “The nursing homes and Medicaid are breaking the backs, financially, of government,” he said. “I think that there ought to be programs to encourage people to stay in their own environment.” Another program Farley supported in New York, called Nursing Homes Without Walls, helped the elderly to receive outside services in their homes. “Service to individual citizens has always been of paramount importance to me,” Farley said in a May statement announcing his retirement. “Over the years, I have been able to assist thousands of individuals, families and businesses who have reached out to my office in a time of need. I have enjoyed making a real difference for real people.” Farley served as CSG national chairman in 1987 and as chairman of the CSG Eastern Regional Conference in 1983. “I’ve got some very dear friends throughout the United States as a result of The Council of State Governments,” he said.
CSG Wishes You & Yours a CHEERFUL SEASON

Happy Holidays
FROM YOUR FRIENDS AT THE COUNCIL OF STATE GOVERNMENTS

Gov. Jack Markell • CSG 2016 National President • Delaware
Sen. Beau McCoy • CSG 2016 National Chair • Nebraska
David Adkins • CSG Executive Director/CEO