

### BARRIERS & BREAKTHROUGHS: MEETING LONG-TERM CARE NEEDS FOR NEW YORK'S SENIORS AND INDIVIDUALS WITH DISABILITIES.

At the Forum, we bring together leaders in elder care, health care, government, advocacy, law and finance to share ideas and forge solutions.

# WELCOME

Pierro, Connor & Strauss is pleased to welcome you to the 28th Annual Elder Law Forum. We are grateful to the preeminent speakers who volunteer their time to bring you the most current information on topics vital to New York's seniors and citizens with disabilities.

The information brought to you by our expert speakers and panelists couldn't come at a more critical time, as the National Health Emergency expires on this day, and we face the realities of caring for our seniors and loved ones with disabilities in a post-pandemic world. Today, labor shortages in health care and home care cause daily challenges for families desperate for necessary services, and for our health care providers attempting to hire and retain qualified staff. Dramatic changes to the Medicaid home care program are taking their toll on consumers and providers, altering the rights of applicants - and cutting the lifeline for our most vulnerable citizens to obtain long-term care.

Against these daunting challenges you'll hear from experts and innovators determined to change the way we think about aging and caring for our loved ones to ensure independence and dignity. Each year we learn things at the Forum that surprise us, and take away ideas that expand our knowledge of these vital topics.

#### Thank you for being part of the experience!



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# **T**AGENDA

| Breakfast: Exhibitors and Networking   | 8:00AM  |
|--|---------|
| <b>Welcome, Overview</b><br>- Louis W. Pierro, Esq, Pierro, Connor & Strauss – Forum Founder and Host  | 8:30AM  |
| NYS Legislators: Policies and Funding That Meet the Needs of New Yorkers<br>Dan Bazile, News Anchor, Spectrum News - Moderator<br>- John T. McDonald III, New York State Assembly, (D)-Cohoes<br>- Jacob Ashby, New York State Senate, (R)- Castleton<br>- Ron Kim, New York State Assembly, (D) - Queens  | 8:35AM  |
| View from the Executive Branch: New York State Master Plan For Aging and More<br>- Adam Herbst, Deputy Commissioner for Aging and Long-Term Care, NYS Department of Health<br>- Greg Olsen, Director, NYS Office for Aging   | 9:25AM  |
| Remarks from our Breakfast Sponsor<br>- Frank Melia, Division Manager, Contour Mortgage  | 10:15AM |
| Coffee Break: Exhibitors and Networking<br>Visit our Exhibitors and Qualify for our Raffle   | 10:20AM |
| <b>New Rules. Rocky Rollout. New York Medicaid Home Care Update</b><br>- Introduction: Peter J. Strauss Esq., Senior Partner, Pierro, Connor & Strauss<br>- Valerie Bogart, Director, Evelyn Frank Legal Resources Program, New York Legal Assistance Group  | 10:40AM |
| <ul> <li>Panel #1 - Case Study: The Reality of Qualifying and Obtaining Medicaid Home Care</li> <li>Aaron E. Connor, Esq., Managing Partner, Pierro, Connor &amp; Strauss- Moderator</li> <li>Valerie Bogart, Director, Evelyn Frank Legal Resources Program, NY Legal Assistance Group</li> <li>Suzanne Paolucci, Owner and Operator, NY Care Consultants</li> <li>Sarah Grimes, Director of Outreach and Community Relations, NYSARC Trust Services</li> <li>Melissa Groves, Compliance Manager, Consumer Directed Choices</li> <li>Frank E. Hemming III Esq., Sr. Associate Attorney, Pierro, Connor &amp; Strauss</li> </ul> | 11:30AM |
| Remarks from Daniel McCoy, Albany County Executive   | 12:25PM |
| Lunch, Koi Pond at the Desmond<br>Visit our Exhibitors and Qualify for our Raffle  | 12:30PM |
| Panel #2 – New York's Ongoing Struggle to Provide and Pay for Care<br>Beth Finkel, State Director, AARP New York – Moderator<br>- Michelle Mazzacco, Executive Vice President, St. Peter's Health Partners Continuing Care Network<br>- Larry Slatky, Executive Director, Shaker Place Rehabilitation & Nursing Center<br>- Jeffrey Collins, Vice President, Government Programs, MVP Health Care<br>- Dr. Matthew Miles, Chief Medical Advisor, VivaLynx  | 1:15PM  |
| Panel #3 - Doing More With Less: Overcoming a Lack of Funding through Innovation<br>Becky Preve, Executive Director, Association on Aging in New York – Moderator<br>- Al Cardillo, President, Home Care Association of New York State<br>- Diane Mickle Gotebiowski, Vice President, Client Services for EverHome Care Advisors<br>- Alicia Kelley, Vice President, Government Programs, CDPHP<br>- John Breitenbach, Director of Community Living, Living Resources  | 2:15PM  |
| <b>Closing Remarks</b><br>- Louis W. Pierro, Esq., Pierro, Connor & Strauss – Forum Founder and Host   | 3:15PM  |



#### LOUIS W. PIERRO, ESQ.

Founding Partner, Pierro, Connor & Strauss

Louis W. Pierro is the Founder and Principal of Pierro, Connor & Strauss, LLC, a law firm with offices in the Capital Region, New York City and additional locations in New York, Florida, New Jersey and Massachusetts. His Firm serves clients in the areas of Estate and Trust Planning, Elder Law, Estate and Trust Administration, Estate and Trust Litigation, Business and Tax Planning, and Special Needs Planning. Lou is a frequent speaker across the country on

legal issues relating to estate planning, elder law and business planning.

Lou is also a Founder of ElderCounsel, a national membership organization of Elder Law and Special Needs law firms, (where he now serves as a consultant) providing proprietary document drafting software and education to over 1400 member firms in 50 states. He is also founder and the CEO of ApolloCare, LLC, a company that recently launched the VivaLynx App which provides 24x7 tech-enabled care management designed to keep people in their own homes as they age, with integrated home care coordination by EverHome Care Advisors to provide seniors and disabled individuals unique opportunities to live independently in their own homes.

Lou has been selected by his peers as Best Lawyers "2022 Lawyer of the Year" for Elder Law in New York's Capital Region; an honor he also received in 2014 and 2018. He has been recognized by Best Lawyers for Elder Law and for "Trusts and Estates" and by Super Lawyers for 15 years, and has been selected to the Best Lawyers in America, The Best Lawyers in New York, Super Lawyers of the Hudson Valley, Top 25 Lawyers in Upstate New York, and New York Times "Top Attorneys in New York." In addition, Lou has maintained an AV preeminent rating from the Martindale-Hubbell since 2001.

He is currently a member of the National Academy of Elder Law Attorneys; the American Bar Association, Probate and Trust Section; the NYS Bar Association Trusts and Estates and Elder Law Sections; and the Albany County Bar Association.

A graduate of Lehigh University and Albany Law School, Lou was admitted to the New York State Bar in 1984 and is licensed to practice in all New York State Courts, the US Supreme Court and the Second Circuit Court of Appeals.

#### DAN BAZILE

Anchor, Spectrum News

Dan Bazile is an Emmy award-winning anchor at Spectrum News 1. Dan joined the Spectrum News Capital Region team in April 2018 to anchor the early morning hour and co-anchor our live morning program. Prior to joining the Spectrum News team, Dan spent a decade-long stint at an NBC affiliate station mastering the upstate New York news beat.

Throughout Dan's notable career, he has written about a wide range of topics from town board meetings to the State of the Union address. Dan has covered many major stories, including the September 11, 2001, terrorist attacks in Washington, D.C. and New York City, and he'll never forget just how important his role as a reporter was during this time - providing accurate information to viewers that connected so deeply to an event as it happened.

Today, Dan is inspired to come to work to look for the truth and help viewers better understand the community they live in. Dan is an expert storyteller in more ways than one. Aside from reporting, Dan has also written and published two books, with his third currently in progress. Dan has also been known to double as an actor – check out "The Adjustment Bureau" with Matt Damon, and you just might see him!



#### JOHN T. MCDONALD III, NEW YORK STATE ASSEMBLY, DISTRICT 108

Chair, Committee on Governmental Operations; Member, Committee on Health; Ways and Means

John T. McDonald III, RPh has served in the New York State Assembly representing the 108th Assembly District since 2013, which consists of parts of Albany, Rensselaer, and Saratoga counties, including the City of Cohoes, his hometown where he previously served as Mayor for 13 years, and the communities of Green Island, North Greenbush, East Greenbush, Rensselaer, Waterford, and the cities of Troy and Watervliet.

A life-long resident of Cohoes, John is a graduate of Keveny Memorial Academy and the Albany College of Pharmacy where he received a BS in Pharmaceutical Sciences in 1985 and was awarded an Honorary Doctorate of Humanities. John is a practicing pharmacist and an experienced small businessman as the previous owner of Marra's Pharmacy, his family business now celebrating 92 years in downtown Cohoes and serving the Capital Region.

As Mayor of the City of Cohoes, John focused on financial accountability, improving quality of life, and expanding economic opportunity. He pursued an aggressive economic development agenda centered on downtown revitalization, adaptive reuse of historic buildings, Hudson and Mohawk Riverfront developments and gateway improvements. John created a platform for a more transparent and open process for conducting city business, which increased the city's financial stability when he left office in 2012. Just as importantly during John's tenure, the City of Cohoes' population grew by more than 8% which was the first population increase for the City of Cohoes since 1930.

John has also been an active member of the New York State Conference of Mayors where he previously served as President of the statewide organization. He has also chaired the Capital District Transportation Committee, RiverSpark, the Cohoes Indus-

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#### (CONTINUED) JOHN T. MCDONALD III, NEW YORK STATE ASSEMBLY, DISTRICT 108

trial Development Agency and the Cohoes Local Development Corporation. John has served on the boards of the New York State Heritage Areas Advisory Board, New York State Workforce Investment Board, State Comptroller's Local Advisory Team, the NYS Local Government Records Management Council and the Board of Governors for the New York State Municipal Insurance Reciprocal, and many other regional councils and commissions. John currently serves on the board of the Albany Convention Center Authority and is a member of the NYS Department of Financial Services Drug Accountability Board. As a member of the NYS Assembly, John serves as the Chair of the Governmental Operations Committee. John is a member

As a member of the NYS Assembly, John serves as the Chair of the Governmental Operations Committee. John is a member of the following NYS Assembly Committees: Alcoholism & Drug Abuse, Health, Higher Education and Ways and Means. John focuses on his strengths in local government, health care, and small business. John has sponsored and passed legislation into law to reduce unfunded mandates to local governments, control the cost of property taxes, support job growth and workforce development, strengthen access to health care, and address the opioid crisis.



#### Committees on Aging (Ranking), Disabilities, Health, Childrens and Families

Jake Ashby was elected to The New York State Senate on November 8, 2022. The 43rd District includes all of Rensselaer County and parts of Washington and Albany Counties. Senator Ashby served in the State Assembly from 2018-2022. He sponsored legislation making occupational and speech therapy more accessible. It was signed into law by the governor. Jake worked across the aisle to pass a bill that would expedite the naturalization process for parts of description and Albany expedition and Parts of County and Parts of Count

the family members of service members and veterans. After he authored legislation protecting New Yorkers from carcinogenic contaminants in drinking water, state officials adopted more stringent safety standards.

Senator Ashby is thrilled to bring his common sense, bipartisan approach to the State Senate. His top priorities include delivering real tax relief, promoting public safety, and expanding mental health care for first responders, law enforcement officials and healthcare workers. Jake will continue to advocate for programming that helps veterans transition to civilian life. He is a strong supporter of the Second Amendment.

A former Army Reserves Captain, Senator Ashby completed combat tours in Afghanistan and Iraq and deployed in support of a humanitarian mission in Africa. Jake has worked as an occupational therapist and rehabilitation director for the last 20 years and operated his own community-based practice. Additionally, he's worked as an instructor at Maria College. Jake previously served as a Rensselaer County legislator. He earned his MBA in Healthcare Management from Union Graduate College in Schenectady, NY, a Bachelor of Science in Occupational Therapy from Keuka College, and an Associate in Arts from Hudson Valley Community College.



#### ADAM S. HERBST, ESQ.

**Deputy Commissioner Aging & Long Term Care** 

Appointed by Governor Andrew Cuomo, Adam oversees New York's long term care industry and counsels the Governor on state policy and budget implementation. He oversees a \$662 million budget, manages the Department of Health's long term care systems and supports, and serves as the state's spokesperson for long term care operations. Adam advises on government payor programs, digital health, accountable care and value-based payments, and

regulatory compliance. He also helps manage several parts of the largest Medicaid program in the country and provides valuable insight and solutions to health care companies and investors navigating complex transactional, regulatory, enforcement and policy matters.

He is relied upon for unique experience running large governmental reimbursement and programming, but also his strategic insights into health care investments and deep regulatory knowledge. Over the course of his career, Adam has held top positions at the New York State Department of Health, hospital system and federally qualified health centers. He has led many innovative state and federal efforts, including managing the Medicaid 1115 research and demonstration waiver programs, various value-based care programs, managed care reform, social care integration strategies, and support for investor-backed companies looking to innovate in the governmental payer space. He created, and now leads, the state's first Office of Aging and Long-Term Care and wrote the Governor's Executive Order calling for the first Master Plan for Aging. He represents the Governor and steers this critical undertaking. He also has extensive experience working with the private sector, particularly with digital health initiatives. In addition, Adam advises payers and providers on the transition to accountable care and value-based payment and assists investors with a range of transactional needs.

Before joining New York State, he was the Senior Vice President and Chief Legal and Strategy Officer at Blythedale Children's Hospital. He led the system's strategic planning and managed operations for a \$180M campus and capital expansion that focused on pediatric technology and long-term care support services. Before Blythedale, Adam was the Chief Operating Officer at Heritage Health and Housing, a federally qualified health center and housing provider based throughout New York City. Adam graduated summa cum laude with a B.A. in History and Religion from American University and holds a law degree from Albany Law School and MBA from Union College.



#### **GREG OLSEN**

Director, New York State Office for the Aging

Greg Olsen is the director of the New York State Office for the Aging (NYSOFA). In this role, he is responsible for the development, implementation, and administration of programs and policies that help older New Yorkers and overseeing the administration of federal and state funded programs that assist more than 4.6 million older adults and 4+ million informal caregivers across New York State. Working with public and private partners at the state and

local level, Greg is leading the effort to combat ageism, generalizations, and stereotypes about what aging is and demonstrating the value of not only the older population to their families, communities, and the state, but also the value of the network of aging services professionals in addressing social determinants of health and their role in helping older adults maintain their indepen-dence with dignity. With almost 30 years of experience in a variety of capacities serving older New Yorkers and their families, Greg served as chief of staff and legislative and policy director for Assemblyman Steve Englebright, former chair of the Assembly Standing Committee on Aging. He was the first executive director of the New York State Alliance for Retired Americans and served as executive director of the New York State Coalition for the Aging, a nonprofit membership organization representing more than 200 community-based organizations providing non-medical long-term care to the state's older adult population. He received his master's degree in social work with a speciality in gerontology from Syracuse University's Maxwell School.



#### FRANK MELIA

**Division Manager, Contour Mortgage** 

Frank Melia, a Certified Mortgage Planner since 2007 is a Division Manager at Contour Mortgage, and he provides financing education regarding the Home Equity Conversion Mortgage & has been assisting NYS homeowners since 2001 regarding the reverse mortgage loan program.

Viewed as an expert on the Home Equity Conversion Mortgages, Frank can be heard on "Ask the Lawyer with Mike Connors," a weekly radio program broadcast on AM 970 The Answer and AM 570 WMCA in New York City.

Frank was awarded Outstanding Corporate Citizen Award in 2017 from the Long Island Alzheimer's Foundation for his tireless effort to support and assist our Aging Population here in New York. Frank volunteers to help raise money for the Long Island Alzheimer's and Dementia Center and works with families who are facing this terrible disease.

Independent Banker Magazine published an article in their April 2019 issue regarding How Community Bankers make a Big Impact in the Communities they serve, and Frank was interviewed regarding how he assisted a woman with Alzheimer's qualify for a Home Equity Conversion Mortgage with her home in an irrevocable trust.



#### PETER J. STRAUSS, ESQ.

Senior Partner, Pierro, Connor & Strauss

Peter J. Strauss is Senior Partner at Pierro, Connor & Strauss, headquartered in its New York office. He has practiced trusts and estate law since 1961 and has special expertise in the legal problems of aging and persons with disabilities, end of life issues and the capacity of persons with disabilities to execute legal documents with respect to health care.

Peter is a founding member of the National Academy of Elder Law Attorneys, a Fellow of the American Academy of Trust and Estate Counsel (ACTEC) and Distinguished Adjunct Professor of Law at the New York Law School, where he teaches Elder Law and is director of the guardianship clinic. Peter is the 2022 recipient of the NAELA "Theresa Award" to recognize achieve-ments for serving persons with disabilities, and has been honored by the New York State Bar Association with the 2019 "Attorney Professionalism Award," awarded to one attorney in the State each year. From 2007 to 2021 he has been one of the New York Metropolitan area's "Best Lawyers," and "Super Lawyers."

Peter is a prolific author and has written articles for various publications including the New York Law Journal and Bottom Line Personal and has addressed many national professional and consumer organizations. He is the author of the consumer book, "The Complete Retirement Survival Guide: Everything You Need to Know to Safeguard Your Money, Your Health and Your Independence," (Facts-on-File, Inc. 2003).



#### **VALERIE BOGART**

Director, Evelyn Frank Legal Resources Program, New York Legal Assistance Group (NYLAG)

Valerie Bogart has been Director of the Evelyn Frank Legal Resources Program (EFLRP) since 2002. The EFLRP program moved to the New York Legal Assistance Group from Selfhelp Community Services, Inc. in 2013. EFLRP

for the Legal Add Society Brooklyn Office for the Aging, Legal Services for the Elderly in Manhattan, and the Legal Add Society in Minneapolis (Reginald Heber Smith Fellow). A graduate of NYU School of Law, she lectures extensively for bar and social services organizations, has taught adjunct courses at CUNY and Fordham law schools, and has received numerous awards. She is a member of the Executive Committee of the New York State Bar Association Elder Low & Special Neede Service member of the Executive Committee of the New York State Bar Association Elder Law & Special Needs Section.

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#### AARON E. CONNOR, ESQ.

Managing Partner, Pierro, Connor & Strauss

Aaron Connor is a seasoned litigator, currently concentrating in the areas of guardianship, will/trust contests and other estate related litigation. Mr. Connor is also head of the firm's Long-Term Care Planning Department where he advises clients on how best to preserve assets for themselves and their families. Mr. Connor regularly handles complex trust and estate litigation matters and assists clients in obtaining their fair share through discovery, litiga-

tion, and negotiation. Additionally, he utilizes sophisticated estate planning techniques in the establishment of estate tax avoidance vehicles and completing charitable giving in the most tax-efficient manner.

Aaron is admitted to practice in the State of New York and the United States District Court for the Northern District of New York. He is a member of the New York State Bar Association, the Albany County Bar Association and is currently an Editor for the Elder and Special Needs Law Journal. He has formerly served on the New York State Bar Association Committee on Legal Education and Admission to the Bar and was a board member of the Leukemia and Lymphoma Society of Northeastern New York. Aaron received his Bachelor of Arts Degree from the University at Albany and his Juris Doctorate from Albany Law School.



#### FRANK E. HEMMING III, ESQ.

Senior Associate Attorney, Pierro, Connor & Strauss

Frank Hemming concentrates his practice on helping clients of Pierro, Connor & Strauss prepare and file both community and chronic care Medicaid applications. He received two Bachelor of Arts degrees in Psychology (summa cum laude) and Criminal Justice (summa cum laude) and his Master of Arts in Criminal Justice from the University at Albany. He received his Juris Doctor (magna cum laude) from Albany Law School in 2013.

While in law school, Frank interned for the Orange County District Attorney's Office and the Honorable Jeffery G. Berry, one of three County Court judges based in Orange County, New York. Frank was honored as a Best Lawyers One to Watch in 2023 and by Super Lawyers as a New York Rising Star in 2021-2022.



#### **SUZANNE PAOLUCCI, LCSW**

Owner and Operator, NY Care Consultants

Suzanne Paolucci is a Licensed Clinical Social Worker who has dedicated her career spanning over three decades to the field of geriatrics and life care planning. She is extremely passionate about helping her clients to successfully age in place and is a staunch advocate for patient safety and education.

Suzanne has extensive experience in both legal and medical settings. In 2009, she is credited with launching the first Elder Law Life Care Planning Firm on Long Island. Later in 2015, she co-developed Concierge Care Coordination.® a collaborative legal-health practice model dedicated to ensuring the gold standard in care coordination. In 2018, she independently launched NY Care Consultants, LLC where she has since been committed to helping clients manage the ever complex Medicaid Managed Care system.

To date, NY Care Consultants, LLC has successfully won over 300 appeals in the Medicaid Managed Care setting, securing for these clients a safe and effective person centered care plan be it 24 hour live-in, split shift care, or private duty nursing services.



#### **SARAH GRIMES**

Director of Outreach and Community Relations, NYSARC Trust Services

Sarah Grimes joined NYSARC Trust Services as the Director of Outreach and Community Relations in 2016 to provide information and assistance to families and professionals who are seeking a pooled supplemental needs trust to qualify and maintain financial eligibility for Medicaid, Supplemental Security Income (SSI), and other means-tested benefits.

Sarah has presented on supplemental needs trusts and government benefit eligibility at events for the New York State Office for the Aging, at New York State Bar Association section meetings, and at various regional bar associations throughout New York State. She provides in-service trainings to attorneys, social workers, and service providers to raise awareness for the tools that can help people protect benefits and live independently in the community for as long as possible.

Sarah is responsible for cultivating relationships within the disability community to identify opportunities to enhance NYS-ARC's supplemental needs trust programs and to build a network of resources to fulfill its mission of improving the lives of people with disabilities. She is a strong advocate for trust beneficiaries, helping the individuals maximize the benefits they receive while using the funds in their trust to provide for life-enhancing items and services.

Sarah has been working professionally in the marketing field for over 10 years and the not-for-profit sector since 2015. Sarah graduated Magna Cum Laude with a Bachelor's in Science from Siena College School of Business (AACSB Accredited).



#### **MELISSA GROVES**

**Compliance Manager, Consumer Directed Choices** 

Melissa Groves is the Compliance Manager and Corporate Compliance Officer at Consumer Directed Choices, Inc (CDChoices). In this role, she is responsible for gathering information regarding potential compliance concerns, ensuring that all documents follow New York State Department of Health regulations, and assessing areas of risk within the CDChoices compliance program. A dedicated professional who has spent her entire career in disability services, Melis-

sa is driven by her caring spirit and strong desire to make a difference for seniors, individuals with disabilities, and their families. Melissa began at CDChoices over 17 years ago as a Program Associate, working directly with individuals to help them navigate their consumer-directed programs within the challenging and ever-changing world of home care before transitioning into the Compliance department. Prior to her time with CDChoices, Melissa worked for Catholic Charities Disabilities Services as a Medicaid Service Coordinator under the OPWDD and Traumatic Brain Injury (TBI) Medicaid Waiver program, where she assisted individuals with developmental disabilities and traumatic brain injuries in maintaining their benefits and connecting with needed community-based services. She has also worked as a Direct Support Professional providing direct care to individuals with developmental disabilities. Her extensive knowledge and years of experience from multiple industry perspectives have given her a unique understanding of the risks and aspects of compliance vital to CDChoices' day-to-day operations.

Melissa is known for her program expertise, commitment to her career, effective communication, and ability to work well within a team. She is a champion of CDChoices' mission to empower individuals with disabilities and seniors with the necessary tools to remain independent in their communities, and she is proud of the work she does every day to realize this vision. Melissa holds a bachelor's degree in liberal arts from SUNY Potsdam with a major in Psychology.



#### DANIEL MCCOY

Albany County Executive

Daniel P. McCoy is currently serving his third term as the fourth Albany County Executive. Dan was born, raised and resides in the capital city of Albany where he has worked as a public servant his entire professional career. He was a firefighter and EMT for the Albany County Airport and the City of Albany, earning the rank of Captain, and is a founding member of the Albany Airport Firefighters Union 1-65. Dan is currently a member of the New York Army National Guard,

where he has earned the rank of Master Sergeant. Dan served in the United States Army and was deployed to Iraq in 2005-2006. Before being elected as County Executive in 2011, Dan served twelve years as a County Legislator, as well as Chairman of the

Legislature for two years. As County Executive, Dan has focused on finding creative and innovative ways to improve the delivery of services, all while streamlining government and keeping property taxes flat for the last eight consecutive years. He has done this in part by prioritizing his shared services initiative that identifies cost-saving measures and eliminating redundancies between county and local governments.

County Executive McCoy has focused on maintaining and rebuilding some of Albany County's key infrastructure. Aside from keeping county roads paved, plowed and safe for commuting residents, Dan has made historic investments in the county-owned MVP Arena and the surrounding area, as well as the county's nursing home, now known as Shaker Place Rehabilitation and Nursing Center. The new facility is now a place senior residents and their families can be proud of. During the renovation, Dan relocated the Albany County Department of Aging and the Veterans Service Bureau to redesigned floors at the new Shaker Place. He established a "senior center without walls" for programs and services to be offered and enjoyed in various locations throughout the county. Dan served as President of both the County Executives of America as well as the County Executives Association of the New

Dan served as President of both the County Executives of America as well as the County Executives Association of the New York Association of Counties (NYSAC) during the worst of the COVID-19 pandemic. In these roles, he coordinated the distribution of personal protective equipment among county leaders across the state, and helped establish walk up testing facilities that helped residents throughout the Capital Region, including in underserved communities. Throughout the public health crisis at the county level, protocols were quickly put into place for contact tracing and quarantines to stop the spread of the virus. Dan also established a food delivery program for those placed under quarantine through a partnership with the New York State National Guard. Addition-ally, County Executive McCoy established a Mental Health Support Hotline, provided financial relief to local businesses, and expanded broadband access to the Hilltowns with the partnership of Hudson Valley Wireless. Dan is currently President Elect of NYSAC and serves as a member of the board of directors of the National Association of Counties (NACo).

For his steadfast leadership, Dan was named County Leader of the Year in November 2017 by American City & County Magazine. In May 2018, he received the Mary G. Roebling Distinguished Service Award from the Association of the United States Army 1st Region. In 2019, Dan had the honor of being the first County Executive to be named a Hunt-Kean Leadership Fellow, joining governors, attorneys general and congressional leaders to learn ways to address inequities in education and life outcomes. In 2021, Dan was named the first recipient of The Interfaith Alliance of Upstate New York's Human Rights Award honoring his leadership during the pandemic and his steadfast commitment to equity in our community. He was also awarded the Italian American Community Center's Italian Spirit Award for his work improving lives in our neighborhoods and honoring our diversity.



#### BETH FINKEL

State Director, AARP New York

As State Director Beth R. Finkel leads the day-to-day operations of AARP New York, the most visible and successful organization in the state advocating for New York's 50 plus population. During her tenure as State Director, AARP's powerful lobbying efforts on behalf of their 2.6 million members have led to historic NYS reforms including passage of the Care Act, Assisted Living protections, Anti Predatory Lending, Paid Family Leave and Affordable Housing in NYC legislation and numerous bills on Kincare.

Prior to her appointment as State Director, Beth was the Senior Manager of Community Outreach for AARP New York where she was responsible for all community programs and activities that serve the organization's membership and engage its vast network of over 5,000 active volunteers across the state. In her role, Beth specialized in programming and advocacy for older New Yorkers around hunger, caregiving, grandparents raising grandchildren, multicultural outreach, livable communities, financial security, and long-term care. During her tenure at AARP New York, she led and developed the statewide Kincare Coalition and New York's Older Adults Hunger Stakeholders Coalition. She convened the first Older Adults Hunger Summit to find solutions to barriers to food insecurity. She also co- created the NYS Medicare Savings Program Taskforce, a consortium of government, public policy makers and advocates that works to break down obstacles to enrollment of low-income Medicare beneficiaries to this group of benefits. She also served on the Governor's Hunger Taskforce. Beth represents AARP New York as she serves on Governor Andrew Cuomo's Office of Community Living Advisory Committee, the Governor's SMART Commission and serves on Senator Kristen Gillibrand's Working Group for the Aging.



#### MICHELLE MAZZACCO

MBA, Executive Vice President, Continuing Care Network, St. Peter's Health Partners

Michelle Mazzacco has been with the organization for 37 years. She is responsible for leadership, strategic guidance, and direction for all Continuing Care services, and integrating Continuing Care services within the St. Peter's Health Partners integrated healthcare delivery system as well as within the communities served. The Continuing Care network includes seven skilled nursing facilities providing long term care and subacute rehab services, five

independent living retirement communities, four assisted living/enhanced and memory care residences, Alzheimer's services, and community-based services (home health, hospice, community bereavement, PACE, Care Transitions Coach, Personal Emergency Response Service, home-based primary care, remote patient monitoring, medical equipment/home respiratory therapy and home infusion pharmacy).

Michelle currently serves on the Board of the Home Care Association of New York State and the CHAP (Community Health Accreditation Program) Board of Review. She has been recognized for her work, including the Capital District Business Review newspaper's "40 Under 40 Award," Northeast Health's "Chairman's Quality Award," and the Home Care Association of New York State's "Distinguished Service Award" and "Advocacy Award," and "Ruth Wilson Award".



#### LARRY SLATKY

Executive Director, Shaker Place Rehabilitation & Nursing Center

Larry I. Slatky is an accomplished and licensed nursing home administrator with over 50 years of experience in the healthcare industry. Larry has demonstrated a remarkable ability to facilitate growth and improvement of long-term healthcare facilities in New York and New Jersey through his innovative approach to care delivery. His success can be attributed to his commitment to quality of care, which he has achieved by creating and implementing

programs that ensure proper treatment and care of residents. He holds a professional certification as a Certified Master Nursing Home Administrator and is licensed with the State of New York Department of Health and the New Jersey State Department of Health.

Throughout his career, Larry has been recognized for his contributions to the field by several prestigious organizations, including the American College of Health Care Administrators, Ross Laboratories, and the Long Island Business News. In particular, he was honored with the Administrator of the Year Award by the American Health Care Association, which recognizes outstanding innovation, achievement, and capabilities in the provision of high-quality, resident-centered care in a long-term care facility.

Currently, Larry serves as a Board Member and Hall of Fame recipient for the American College of Health Care Administrators and is an active member of the New York Chapter of Education Committee and Chapter Events and Convention Committee. Since 2014, Larry has been the Administrator of Shaker Place Rehabilitation & Nursing Center in Albany, New York, and has created a team approach to manage the facility. By creating and maintaining an open-door policy, Larry has provided staff with the tools necessary for every department to reach its operational goals and keep the lines of communication open.



#### JEFFREY COLLINS

Vice President, Government Programs, MVP Health Care

Jeffrey Collins is responsible for sales and operations in the New York and Vermont markets for Medicare and Medicaid government programs. He has more than 25 years of progressive management experience in the managed health care field. His previous roles include Vice President at United Health Care, Regional Director of Sales and Marketing for the Northeast Region at Fidelis Care, and a position at Value Optics, a managed care organization that delivers mental health and substance use disorder services for health plans and employer groups.

Jeffrey is driven by his passion to serve his community and is proud of his extensive non-profit board experience and volunteerism.



#### **DR. MATTHEW MILES**

Chief Medical Advisor, VivaLynx

Dr. Miles is a Board-certified Emergency Medicine physician who brings expertise in developing and implementing clinical delivery models for complex patients, and in developing financial models to support innovative care delivery.

Matt is currently advising on the expansion of VivaLynx, a healthcare technology platform that tracks real time health data from home through a mobile app, and provides vital information and alerts while linking caregivers, families care providers and payers. In prior positions, Matt served as Chief Medical Officer of the Innovative Health Alliance of New York, a clinically integrated network and ACO, spanning three health systems, and as Regional Medical Director with Landmark Health. Matt has also held positions as Medical Director of Emergent Care for the Medical Center of Clifton Park; Vice Chairman of the Department of Emergency Andreising Chairman and Medical Director at the Department of Emergency Medicing. Department of Emergency Services at Ellis Medicine; Chairman and Medicaid Director at the Department of Emergency Medicine of Glens Falls Hospital; and Director of Pediatric Emergency Medicine in Albany Medical Center. Matt served as a Board Member of Trinity Health Integrated Care ACO on the Trinity Health Risk Adjustment and Coding Committee, as well as the Utilization Management Committee at CDPHP and the Regional Emergency Medical Advisory Council for the Hudson-Mohawk Region. He earned his Doctor of Medicine degree at the State University of New York, Downstate Medicaid Center at Brooklyn and completed his Residency in Emergency Medicine at Brown University – Rhode Island Hospital.



#### **BECKY PREVE**

#### Executive Director, Association on Aging in New York

Becky Preve is a seasoned executive leader with extensive knowledge and skill in management of program and fiscal operations. Skills include fiscal management, policy analysis, governmental relations, advocacy, and grassroots organization. As Executive Director for the Association on Aging in New York, a member organization representing the 59 area agencies on aging in NY, she has led the mission of the Association to support and enhance the capacity of New York's local area agencies on aging and to work in collaboration with the aging network to promote independence, preserve

dignity, and advocate on the behalf of aging New Yorkers and their families.

Prior to joining the Association, Becky was Director for Franklin County Office for the Aging, where she was responsible for program operations of all aging services and supports, and management of \$3.2 million in funding, and managed the day-to-day operations of county government department, including reporting to local legislature and New York State Office for the Aging. Becky was also a key member of the Governor's task force regrading the Office of Community Living. In another role, she was an acuté care social worker at Alice Hyde Medical Center in Malone. NY.

Becky earned her Bachelors of Science degree from Clarkson University in 2002, and has also received certification from the Institute for HealthCare Improvement, and Boston University of Social Work. Becky is a Board member for Adirondack Health Institute. Hospice of the North Country. Cornell Cooperative Extension. Cerebral Palsy of the North Country, and the Joint Commission for Economic Opportunity.



#### **AL CARDILLO**

President and CEO, Home Care Association of New York State (HCANYS)

Al Cardillo has worked in the health field for over 35 years, with positions in both the public and private sectors, including roles in health services development, administration, legislation, budget, provider association and other. He leads the Home Care Association of New York State (HCA), a statewide health association comprised of over

300 organizations comprised of home care agencies, hospices, managed long term care plans, waiver service programs, allied organizations and individuals providing home and community based-care. As President, oversees and leads the organization's program, policy and administrative functions, in conjunction with the HCA Board of Directors, and professional team. Engages federal and state government officials; collaborates with health leaders across sectors; and works with Board, membership and health professionals to advance the organization's mission of promoting accessible, quality health care and support at home and community.

In prior roles, Al served as Executive Director for Health for the New York State Senate Health Committee, Executive Director for Health for the State Council on Health Care Financing, and as program development staff for the State Division of Medical Assistance,

(CONTINUED ON NEXT PAGE)

#### (CONTINUED) AL CARDILLO

among other public health positions. Al also currently serves on numerous professional and governmental committees in health care, and as adjunct faculty to the University at Albany School of Social Work, and as a presenter with Duke University faculty in New York sessions of the Duke Population Care Coordinator Program.

He holds a Master of Social Work Degree in Direct Practice from the University at Albany, and is a New York State Licensed Master Social Worker.



#### **DIANE MICKLE GOTEBIOWSKI**

Vice President, Client Services, EverHome Care Advisors

Diane, a Physical Therapist, completed her undergraduate work at Russell Sage/Albany Medical College School of Physical Therapy, and received her Doctorate in Physical Therapy in 2006 from Rosalind Franklin University. Her career journey began in New Hampshire, working in an acute care hospital. From there she returned to New York State continuing to work in acute care. She embarked on traveling PT adventure, where she gained a diverse experience working in

ing to work in acute care. She embarked on traveling PT adventure, where she gained a diverse experience working in various settings in West Virginia, Alabama, Florida, and Illinois. In 1988 Diane opened a private physical therapy practice in Catskill, NY, serving the residents of Greene, Columbia, and Ulster counties for nearly 20 years. Since then, she has also been active in long term care management, leading rehabilitation, and care teams in several regional Skilled Nursing Facilities. In 2011 Diane joined the Eddy Visiting Nurse Association and held a leadership role in their Chronic Disease management and Quality/Performance Improvement programs. She left that role in early 2023 to join EverHome Care Advisors as Vice President of Client Services.

Diane has a keen interest in education, in both professional and community programs. She has served as an Adjunct Instructor at Russell Sage College, as well as a frequent guest speaker at many community organizations. She received certification in Home Based Integrated Chronic Disease Management and provides training in Motivational Interviewing. As an active member of her professional association (APTA New York), Diane has served in various roles including, Secretary, Vice President, and Delegate to the National House of Delegates.

She is currently a member of ALCA (Aging Life Care Association). Diane strives to work to honor all individuals past, present (and future) who have taught her about choosing your own path, and to age with strength and conviction!



#### **ALICIA KELLEY**

Vice President, Government Programs, CDPHP

Alicia Kelley joined CDPHP in 2005 and currently serves as Vice President of Government Programs for the Capital Region's leading health plan. In this role, Alicia is responsible for the growth, retention, and operations for the plan's Medicare, State Programs and Individual lines of business.

With more than 20 years of experience in the health care industry, Alicia has worked in marketing, communications, product development, sales, and operations. Prior to joining CDPHP, she worked for the Healthy Capital District Initiative, a local not-for-profit that assists families and individuals with obtaining health care coverage through Medicaid, Family Health Plus, and Child Health Plus.

Since joining the Government Programs team at CDPHP, Alicia has been an active member of the community, serving on the boards of multiple not-for-profit organizations supporting senior citizens, and partnering with various agencies that help further the mission of CDPHP and its Medicare members. Alicia earned a Bachelor of Arts in Political Science and Sociology from Siena College in Albany, N.Y.



#### **JOHN BREITENBACH**

Director of Community Living, Living Resources

John been working at Living Resources in various capacities since 2011. His first job at the agency was an After School Program Instructor while I completed my Master's Degree in Childhood Education. While teaching, John maintained part time employment with the agency and fell in love with the work. Since then, John held several different roles, but all had a concentration on community-based services for children and adults with developmental disabili-

ties. He has experience with both residential and community-based programs, after school programs, and most recently with Fiscal Intermediary Services such as Self-Direction, Family Support Services, and OPWDD Housing Subsidies. John's main goal has always been to provide quality services which are person-centered, progressive, and creative in order to maximize what is possible in a system with dwindling resources. He believes the best outcomes are seen when people with disabilities are empowered to reach maximum independence, given the opportunity to make their own choices, and allowed to live the life they want.

# **T**CASE STUDY

### **MEET STANLEY:**

Stanley is a 66-year-old income tax auditor who retired after 30 years working for New York State. He relies on a wheelchair for mobility and has multiple health challenges.

Stanley lives in his Capital Region home, where he is paying home care aides out-of-pocket for 16 hours/day – the needed level of care documented by Stan's primary care physician.



Stanley applied for Community Medicaid but was approved by MLTC for only 5 hours/ day. His care manager filed a grievance, and he was granted one extra hour to a maximum 6 hours/day. His attorneys requested a fair hearing which is pending. The concern is that his savings will last less than a year to cover the shortfall!

Today our panel analyzes the path forward to obtain the Medicaid benefits Stanley requires.

| <b>INCOME:</b> (altered for privacy)                             |                                      | LEGAL DOCS:  |  |
|--|--------------------------------------|--|--|
| <ul><li>Social Security</li><li>Pension</li><li>IRA MD</li></ul> | \$2,215.00<br>\$2,949.90<br>\$333.33 | Will YES     Power of Attorney YES     Health Care Proxy YES     Irrevocable Trust with Home YES |  |
| Less Medicare Part B<br>Less Medicaid Allowance                  | \$164.90<br>\$1,697.00               |  |  |
| Total Income to Pooled Trust                                     | \$3,636.33                           |  |  |

| • HOME   | \$150,000            |
|--|----------------------|
| • CASH   | \$30,000             |
| • IRA  | \$100,000            |
| <ul> <li>Countable Assets for Medicaid</li> <li>Allowance</li> </ul> | \$30,000<br>\$30,182 |

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- F.H.A. Mortgages Purchase & Refinance
- Non-QM Mortgages Asset Depletion Loans, No Tax Return Loans
- Home Equity Conversion Mortgages aka: reverse mortgages
- Jumbo Reverse Mortgages
- Commercial Mortgages Purchase & Refinance



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### Who We Are

EverHome Care Advisors is a team of passionate, caring Aging Life Care Professionals<sup>™</sup> who have knowledge, skills and expertise in health, aging and the disabled populations. What separates us from other professionals is we provide high touch care and utilize innovative technology that enhances the client's quality of life. When you call, you get answers, not just another referral. We serve individuals in the greater Capital Region, the Hudson Valley, North Country and beyond.

Meet Our Team



Diane Micke Gotebiowski, PT, DPT Vice President of Client Services



Susan J. Vail, LMSW Senior Life Care Coordinator Licensed Master Social Worker



Gina Lettieri, BSW Life Care Coordinator Bachelor Social Work



Mary Ellen Pierro, RN Life Care Coordinator Registered Nurse

### What We Do

We partner with you to assist your families and clients in navigating a complex and fragmented care delivery system. We solve everyday problems faced by individuals who want to stay in their home. The EverHome team:

- Provides in-home assessments, care planning and ongoing monitoring and care coordination
- Educates individuals and families to make informed decision regarding their care
- Teaches individuals and caregivers how to adopt technology that will keep them in their own home

### Our Technology Focuses On

- Teaching caregivers how to easily adopt adaptive technology, to coordinate daily care needs and communicate in real time to the care team
- Using sensor technology and alerts to address care issues for immediate intervention
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#### 24X7 IN HOME CARE WITH CONNECTED DEVICES:

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- $\cdot$  Wellness cameras
- Fall detection sensors
- $\cdot$  Nighttime safety
- $\cdot$  Medication adherence
- Bluetooth enabled monitoring devices (blood pressure, glucose, etc.)
- 24-hour ER Telemedicine and more...



#### THE VIVALYNX APP CONNECTS YOUR CLIENTS, THEIR PROVIDERS, DESIGNATED REPRESENTATIVES, FAMILY, AND FRIENDS

Caregivers communicate and manage care through iPhone and Android devices

- Allows caregivers to play an active roll in providing and monitoring care
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- Remotely coordinate calendars, services, and appointments
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- \* Out-of-network/non-contracted providers are under no obligation to treat CDPHP Medicare Advantage members, except in emergency situations. Please call our customer service number or see your Evidence of Coverage for more information, including the cost-sharing that applies to out-of-network services.
- <sup>+</sup> Our hours are 8 a.m. 8 p.m. seven days a week from October 1 March 31. From April 1 September 30, Monday Friday, our hours are 8 a.m. 8 p.m. A voice messaging service is used weekends, after-hours, and federal holidays. Calls will be returned within one business day.

*CDPHP® refers to Capital District Physicians' Health Plan, Inc. and CDPHP Universal Benefits,® Inc. CDPHP is an HMO, PPO, and HMO SNP plan that contracts with the federal government. Enrollment in CDPHP Medicare plans depends on contract renewal.* 

Based on a Model of Care review, Capital District Physicians' Health Plan, Inc. has been approved by the National Committee for Quality Assurance (NCQA) to operate a Chronic or Disabling Condition Special Needs Plan (C-SNP) through 12/31/2023.

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The Legal Project provides innovative, cost-effective services that are collaborative and that focus on unmet needs in our communities and is the primary provider of domestic violence civil legal services in the Capital District. The Legal Project provides civil legal services for domestic violence and crime victims, bankruptcy and credit, foreclosure, human trafficking, immigration, veteran issues, and wills along with legal advice on many civil issues, and educational programs.

The Legal Project is proud to introduce, through partnership with MVP Health Care, our Elder Law Assistance Program which provides free legal services to eligible seniors in the Capital Region. For assistance call (518) 435-1770 x318.



CDPAANYS is the statewide leader in education, advocacy & support to fiscal intermediaries, consumers and families in New York State's Consumer Directed Personal Assistance (CDPA) program.

Contact us to learn more about the Medicaid program that allows older & disabled New Yorkers to take charge of their own home care.

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