1	HOUSE OF REPRESENTATIVES
2	COMMONWEALTH OF PENNSYLVANIA
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	DEPARTMENT OF AGING
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5	House Appropriations Committee
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7	Main Capitol Building House Chamber
	Harrisburg, Pennsylvania
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9	Tuesday, February 16, 2021
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1.0	MAJORITY COMMITTEE MEMBERS PRESENT:
12	Honorable Stanley Sayler Majority Chairman
13	Honorable Stanley Saylor, Majority Chairman Honorable Rosemary Brown
13	Honorable Lynda Schlegel-Culver
14	Honorable Torren Ecker
<u> </u>	Honorable Jonathan Fritz
15	Honorable Keith Greiner
10	Honorable Doyle Heffley
16	Honorable Johnathan Hershey
	Honorable Lee James
17	Honorable John Lawrence
	Honorable Zach Mako
18	Honorable Natalie Mihalek
	Honorable Tim O'Neal
19	Honorable Clint Owlett
	Honorable Chris Quinn
20	Honorable Greg Rothman
	Honorable Meghan Schroeder
21	Honorable James Struzzi
	Honorable Jesse Topper
22	Honorable Ryan Warner
00	Honorable Dave Zimmerman
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      MINORITY COMMITTEE MEMBERS PRESENT:
      Honorable Matt Bradford, Minority Chairman
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      Honorable Donna Bullock
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      Honorable Morgan Cephas
      Honorable Austin Davis
      Honorable Elizabeth Fiedler
 4
      Honorable Marty Flynn
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      Honorable Patty Kim
      Honorable Emily Kinkead
 6
      Honorable Leanne Krueger
      Honorable Benjamin Sanchez (virtual)
 7
      Honorable Peter Schweyer
      Honorable Joe Webster
 8
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      NON-COMMITTEE MEMBERS:
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      Honorable Gary Day
11
      Honorable Rob Mercuri
      Honorable Mark Gillen
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      Honorable Carrie DelRosso
      Honorable Steve Samuelson
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-Key Reporters-

1	STAFF MEMBERS PRESENT:
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3	David Donley Majority Executive Director
4	Ritchie LaFaver
5	Deputy Executive Director
6	Ann Palega
7	Ann Baloga Minority Executive Director
8	Tara Trees, Esquire
9	Minority Chief Counsel
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	Key Reporters———————————————————————————————————

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1	MAJORITY CHAIRMAN SAYLOR: Mr.
2	Secretary, we are joined by Secretary Robert
3	Torres, Department of Aging. Mr. Secretary, we can
4	have you, and what I'd like you to do, Mr.
5	Secretary, if you would introduce who else is with
6	you on here who will may be providing testimony, if
7	you would introduce them.
8	(Pause). Can you unmute? Yeah.
9	SECRETARY TORRES: Can you hear me now,
10	Mr. Chairman?
11	MAJORITY CHAIRMAN SAYLOR: There you
12	are, Mr. Secretary. Would you introduce those who
13	are going to provide possible testimony today? And
14	then after you introduce those members of your
15	staff, I will swear all of you in.
16	SECRETARY TORRES: Yes, sir. Joining me
17	this afternoon is Deputy Secretary Steve Horner and
18	PACE Program Director Tom Snedden.
19	MAJORITY CHAIRMAN SAYLOR: Very good.
20	If all of you would raise your right hand.
21	(All testifiers were sworn in by
22	Chairman Saylor and responded affirmatively).
23	MAJORITY CHAIRMAN SAYLOR: Thank you.
24	Mr. Secretary, we'll start off right
25	away with questions. And the first person to ask

questions here will be Representative Jonathan
Fritz.

REPRESENTATIVE FRITZ: Thank you,

Mr. Chairman.

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And thank you, Mr. Secretary, for joining us today. Mr. Secretary, we're going to talk about seniors and vaccines. And my question here is multi-pronged, so if we could keep our answers as concise as possible, that would be appreciated.

Mr. Secretary, a few weeks ago we expanded Group 1A to include seniors 65 and older. We expanded Group 1A without having already vaccinated the designees that were in the original 1A category. And, as a result, these are my words, it created a clumsy overlap.

Mr. Secretary, can you tell us, were you consulted when the Administration decided to expand the 1A category?

SECRETARY TORRES: No, sir. That decision was made by the Department of Health after the CDC had revised its guidance. What I can tell you is that, 88 percent of the individuals who have passed away from COVID are over the age of 65. And the Governor wanted to make sure any of the

1 individuals 65 and older, all with underlying 2 medical conditions, at least had the opportunity to 3 seek the vaccine, if they were able to do so. REPRESENTATIVE FRITZ: If you were to 4 5 grade yourself on success, what grade would you 6 give yourself? SECRETARY TORRES: Excuse me? Can you 7 repeat that question? 8 REPRESENTATIVE FRITZ: If you're going 10 to grade your level of success, what would you give 11 yourself as a grade? 12 SECRETARY TORRES: Well, speaking for 13 the Department of Aging, we've been doing a 14 tremendous amount of work supporting older adults 15 throughout this pandemic, including, making sure 16 that their basic needs are being met in terms of meals, making sure that they're not -- they're not 17 18 suffering from social isolation. So we've done a 19 lot of good work that I'm anxious to speak with this committee about and share that with you. 20 21 I would grade our efforts at the 22 Department of Aging high. 23 REPRESENTATIVE FRITZ: Okay, Mr. 24 Secretary, I'm going to advance here. 25 In a recent press conference you said

that the department and Triple A's have or will be assisting seniors in scheduling vaccination appointments. Can you explain how that scheduling assistance is working or will it proceed to work?

SECRETARY TORRES: Well, it's varying, and one of the things I said at the press conference, that it depends on the capacity of resources at individual Area Agencies of Aging because they're, you know, they vary quite a bit. We have 52 different Area Agencies on Aging supporting the whole Commonwealth.

Some have already started with local partnerships in terms of vaccine planning, commissions or task forces working with their county commissioners, working with their emergency management agencies and their local health care organizations.

I highlighted Butler County because that's a good example, and I wanted to show that as an example of what other areas in Pennsylvania could be doing; working in partnership to at least get an allocation of the vaccines in their local area, and then work to lessen the frustration of older adults in terms of the amount of time they were spending online or -- or making multiple calls

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to try to get scheduled for a vaccine.

REPRESENTATIVE FRITZ: Mr. Secretary, do you have department staff or do the Triple A's have staff that are tasked solely with helping our seniors get appointments?

SECRETARY TORRES: No. Again, it's gonna vary by individual Area Agencies on Aging.

You know, they all support older adults. None of them are going to turn away older adults who need help.

So, I wouldn't say that they have dedicated staff. I think everyone is working as much as possible to support seniors here. We set up a six-person unit in our PACE Program because of the traffic that we saw coming in. Director Snedden can speak to that. He saw a need. We have a six-person unit that's dedicated to helping PACE enrollees as much as we can with the vaccine and any supplemental support that they need, like, transportation.

We also have a PA Link to our -- which is a program to support individuals with disability, the PA Link to aging and disability resources, and we are working to mobilize that group as well, to support older adults or

individuals with disability that need help.

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REPRESENTATIVE FRITZ: Mr. Secretary, I want to speak to something that has cropped up in my district. I have a very rural district. But I have a lot of senior citizens that, believe it or not, don't have a computer, so they're depending on family or neighbors, other good samaritans to register for them.

Is there a system for good samaritans, like I just referenced, to schedule for folks that either are their neighbor or extended family?

SECRETARY TORRES: Well, they can work through the Department of Health website if they're working online. I've spoken to AARP, for example, and I know based on a recent tele-town call that older adults are looking for low-tech options, and that's why we're working to implement some of the things that I've mentioned.

We're also working, from a Department of Aging standpoint, to support the Area Agencies on Aging. We're getting ready to ask where -- where can they use some support, maybe connecting them with certain partners. I just had a phone call this weekend where some -- a certain county wanted connections with a pharmacy locally that could,

1 potentially, at least start some discussions about 2 better coordination and collaboration at that local level, and we were happy to do that. 3 Again, with the relationships we have 4 with pharmacists and health care organizations, 5 6 we're trying our best to support them as much as we 7 can. REPRESENTATIVE FRITZ: 8 Mr. Secretary, I see our time is up. I'm just gonna end on this. I 10 would advocate that, perhaps, your department put 11 out quidance to help good samaritans in assisting 12 their neighbors and their loved ones. 13 Thank you very much, Mr. Chairman. SECRETARY TORRES: Thank you. 14 15 MAJORITY CHAIRMAN SAYLOR: 16 Representative Bullock. 17 REPRESENTATIVE BULLOCK: Thank you, 18 Mr. Chairman. 19 Good afternoon, Mr. Secretary. 20 you for being here today. 2.1 SECRETARY TORRES: Good afternoon. 22 REPRESENTATIVE BULLOCK: Can you share 23 with me how racial disparities and other social determinants impact the access to health care, 24 25 retirement age and retirement income for seniors in Pennsylvania?

SECRETARY TORRES: Well, this pandemic has magnified health disparities of seniors in Pennsylvania, and that's something we're very sensitive to. I have been working with the Governor's Affinity Commission, the Women's Commission, the Latino, African-American, Asian Pacific Island, and the LGBTO Affairs.

So, we've been very sensitive to the needs of diverse communities, to the issues of health disparities, again, that got magnified throughout this pandemic and continues to be an issue. And we're working with those different communities -- commissions and communities to make sure that any information that we're putting out we're being effective in our outreach and being responsive in the services that we're providing.

REPRESENTATIVE BULLOCK: Can you share any of the lessons that you learned during this pandemic that we can continue post pandemic? And as we work through our economic recovery, what investments should we make to close those racial disparities?

SECRETARY TORRES: Well, we need to work with trusted partners in our communities, that's

one thing, especially when you're talking about an episode that we're living through now with pandemic and vaccines.

In the African-America community, I know there's a lot of distrust, for a lot of historical reasons, but distrust of, you know, taking a vaccine that is fairly new. Sometimes that's distrust of government, and so, we have to work through a lot of those. And part of what we're doing here is establishing partnerships and collaborations at the local level with organizations that we can work with to get good information into the community and to address any questions or concerns that they might have.

REPRESENTATIVE BULLOCK: Thank you.

I do realize that the cost to those seniors, the cost to their health care, cost to their housing insecurity and food insecurity is a cost to the Commonwealth. So I appreciate your efforts in that way.

Can you also share with me the work that you have done within your own department to address racial inequity when it comes to employment and other investments in your workforce?

SECRETARY TORRES: Sure. We are a small

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1 department, as you know, but we currently have, 14 percent of our staff is diverse, and we have 2 done a lot of work. In fact, considering the issue 3 we just spoke about, health disparities, our whole department has been trained on unconscious bias. 5 6 We've taken -- Our whole department has 7 been trained by SAGECare on issues related to LGBTQ seniors, so we're doing what we can working within 8 our department across the whole Administration. 10 The Governor is very committed to this issue of 11 inequities and historical discriminations that 12 impact service provisions of anyone, really. But, 13 in our case we're considering those issues as it 14 relates to older adults and what we could do to 15 improve, again, service delivery and outreach. 16 REPRESENTATIVE BULLOCK: Did I hear you say, you said 14 percent of your staff is diverse? 17 18 SECRETARY TORRES: Yes. 19 REPRESENTATIVE BULLOCK: And what do you 20 -- what demographics do you include in the term 2.1 diverse? 22 SECRETARY TORRES: African-American, 23 Latinos and Asian.

much. I have no further questions.

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REPRESENTATIVE BULLOCK: Thank you very

1	SECRETARY TORRES: Thank you.
2	MAJORITY CHAIRMAN SAYLOR:
3	Representative Struzzi.
4	REPRESENTATIVE STRUZZI: Thank you, Mr.
5	Chairman. Good afternoon.
6	SECRETARY TORRES: Good afternoon.
7	REPRESENTATIVE STRUZZI: I'd like to
8	continue on the vaccination questioning. I know
9	that Representative Fritz covered a lot of the good
10	subject matter very well.
11	But, I'd like to know, and as you said,
12	88 percent of those people who succumbed to COVID
13	are over age 65. Do you have a number or an idea
14	of where we are as far as vaccinating all
15	Pennsylvania residents over age 65?
16	SECRETARY TORRES: I do not have that
17	with me at this time, no.
18	REPRESENTATIVE STRUZZI: Okay. It's
19	clearly one of the top issues that we receive from
20	our constituents in the office. There's a lot of
21	frustration.
22	I have Indiana County, which is a mix of
23	rural and small urban areas, and there are very few
24	vaccination sites, and the supply, which I
25	understand is not in our control, but a lot of

frustration with the supply; a lot of questions from seniors on how do I get it, where do I get it, and how do I register? I would encourage you to do everything you can to help our local Area Agencies on Aging to provide enough information to make sure that seniors aren't frustrated to the point of, you know, desperation and things like that.

But my question -- And I'm hoping you can provide some insight on this, and this came directly to me from a constituent, is, how do you address seniors that can't get out to a senior center or to a pharmacy or to an area where they can be vaccinated? What if they are at home, want to get the vaccine but can't?

SECRETARY TORRES: Well, again, the press conference that I held with the Governor last Thursday, I focused on Butler County because they had already worked on, with a local health care organization, to vaccinate seniors at a high-rise apartment building. And I know other Area Agencies on Aging are having those kinds of discussions.

So, what I'm trying do from my position is to try and be less reactive, and I've spoken to the whole Triple A network. We meet every Monday morning for a half hour just to check in. So I'm

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about to share information with them, they're able to share what's happening out locally in their areas, and we put our heads together to see what we could be doing differently.

Agencies on Aging are working to be more proactive.

Obviously, resource are a concern in terms of having the capacity to handle a lot of traffic.

But I think those kinds of ideas of planning to do mass vaccination sites, planning to go to senior high-rises or apartment complexes, those discussions are actively taking place, with the hope that when we get a steady increase, reliable stream of vaccines coming in, we'll -- we'll be in good shape to move quickly to get some of these needs met.

REPRESENTATIVE STRUZZI: Thank you for your efforts. I encourage you to work closely with the Department of Health to make sure that advanced notification can be given when the vaccine is available so that these vaccinations can be scheduled, because that's also a level of frustration that I hope we can address here in the near future is that advanced notification of when people can go where to get the vaccination. So,

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1 thanks for your efforts. 2 SECRETARY TORRES: Thank you, sir. MAJORITY CHAIRMAN SAYLOR: 3 Representative Fiedler. 4 5 REPRESENTATIVE FIEDLER: Thank you. Since the start of the COVID-19 6 pandemic, there have been over 11,000 deaths in 7 nursing homes, and our state has been at points 8 ranked fourth worst in COVID response across the entire country. Obviously, all of us mourn the 10 loss of parents, siblings, aunts and uncles. 11 12 This pandemic has laid bare, I think, 13 the workforce staffing crisis in our nursing homes 14 and demonstrates that funding for nursing homes is, 15 at times, failing to reach the bedside where it is 16 needed the most for our seniors. 17 I'd like to ask, what is the Department 18 of Aging's plan to collaborate with the Department 19 of Health and the Department of Human Services to ensure that there is adequate staffing to provide 20 21 care for our seniors, and that that money goes to 22 our nursing homes and is being utilized for bedside 23 care? 24 SECRETARY TORRES: I want to assure you 25 that we will totally coordinate with the Department of Health and the Department of Human Services.

Our long-term care ombudsman who advocates on

behalf of residents and their families in long-term

care settings have been on the ground through the

RIKBY (phonetic) program working with -- in

long-term care facilities, especially those

facilities that had large COVID-19 outbreaks.

Anything that -- that the long-term care Ombudsman was observing out in the field was being relayed back to me and, you know, we have routine opportunities to discuss it, our observations with the Department of Health and the Department of Human Services.

I can assure you that anything we're observing from a resident/family perspective, we are coordinating and sharing that with the Department of Health and Department of Human Services, as appropriate.

REPRESENTATIVE FIEDLER: Thank you for that. Obviously, we are about a year into this pandemic and it will go on for some time. Can you talk about the ways in which you plan to continue to communicate with these departments going forward as we head, hopefully, into a slightly different phase of this pandemic in which, hopefully, many

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people are vaccinated?

that now on a weekly basis. As I receive information, for example, from Area Agencies on Aging, I coordinate with the Department of Health to see if there's information they can share with me that I can relay back, or if there's new information in terms of advanced planning that we can work on together to try and get ahead of where we're at right now in terms of planning and being able to get individuals vaccinated as quickly as possible.

There's no question the limited supply has really been a hindrance, but I think if we could focus on getting older adults scheduled and preparing for when that increase flow comes in, I think we all will be better off.

But I can assure you, we're having weekly, or as needed, even daily conversations as issues come up that need to be addressed.

REPRESENTATIVE FIEDLER: As far as staffing numbers and the bedside care that's being provided, do you feel -- how do you feel it is right now? Do you feel it's adequate? Do you feel like it's in need of additional funding?

1 SECRETARY TORRES: Well, during the --2 Throughout this pandemic, staffing at long-term care has been a challenge. That's why we had the 3 regional health care program with the National Guards, with the different health care systems that 6 partnered and collaborated, and our long-term Ombudsmen were there also to support families and residents during these outbreaks. 8 So, there's no question there were 10 significant challenges throughout the pandemic with staff being sick, having to quarantine, and we did 11 12 our best as an Administration to support those 13 long-term care facilities that needed help, 14 especially when there was an outbreak. But it's a 15 valid concern and something we need to pay 16 attention to. 17 REPRESENTATIVE FIEDLER: Thank you. 18 would definitely encourage an increase focused both 19 on the residents and also on the staff. Thank you. SECRETARY TORRES: You're welcome. 20 2.1 MAJORITY CHAIRMAN SAYLOR: 22 Representative Schroeder. 23 REPRESENTATIVE SCHROEDER: Thank you, Chairman. 2.4 25 Secretary Torres, thanks for being here.

I just want to expand on some of my colleagues' questionings regarding vaccine distribution.

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So, we are seeing many seniors who are frustrated and desperately trying to find a vaccine. And many seniors who live in 55 and older developments and some living facilities need a vaccine, it's almost like we're creating a Hunger Game scenario out there.

I was wondering, you know, we've been trying to think creative outside-of-the box ways to find a solution to getting people vaccinated in this age group. Would a mobile site be something that you think is probable for seniors due to the concerns of traveling and being exposed to virus going out and about in the community?

SECRETARY TORRES: I can tell you that's one of the ideas that are being floated around locally. In fact, Butler County, in conversations that I had with them, have an auto option facility with, like, 15 auto bays, so they were bringing that up, similar concept. How can we have a -- You know, can we set ourselves up to do a drive-by vaccination?

So, that kind of thinking is being considered at the local level. I saw this morning

on the news, Lancaster is considering an empty department store for a mass vaccination site.

Again, once the flow of vaccines come through and there's enough so that we can adequately plan for an event of that nature. So, a lot of discussions and planning are taking place with those types of ideas in mind.

REPRESENTATIVE SCHROEDER: Or really, the quantity issue, too. I understand that. Thank you. So, kind of to switch gears a little bit.

I saw in your testimony you had mentioned about Alzheimer's, and, specifically, Alzheimer's and dementia diagnosis numbers, I believe, are definitely going up and, actually, the severity of their diagnosis are increasing.

So, with quarantine and isolation and loneliness, do you see that? And what have you heard on that front with the mental health crisis that we're dealing with during the pandemic?

SECRETARY TORRES: Unfortunately, individuals with dementia, especially with the lack of visitations, we are having a rough time, because they're used to stability and routine. So, the lack of visitation and restrictions during the pandemic has been very challenging for individuals

with dementia and their families.

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REPRESENTATIVE SCHROEDER: What do you think the long-term effect is going to be for us, for Pennsylvania?

SECRETARY TORRES: Well, we're doing a lot of work in terms of, we have an Alzheimer's Disease and Related Disorder Task Force. We have a plan that was developed a few years ago. Over the last two years I'm really proud of the task force.

There are 15 members that are very engaged. We partnered with the health care -- the Jewish Health Care Foundation out in western Pennsylvania, and they've been doing a lot of -- a lot of the Dementia Friends Training and Dementia Champions, which are individuals who become trainers in their local areas.

So, we have been working to get champions in every county. So far, we have like 42 counties that have champions, and we have nearly 5,600 individuals training throughout Pennsylvania, who have taken this dementia friendly workshop either online or through instructor sessions. So we've been doing a lot of really good work to make Pennsylvania more dementia friendly and to support individuals and their families living with any

1 dementia. 2 REPRESENTATIVE SCHROEDER: And, I quess, 3 with them being isolated at home and maybe not leaving for doctor appointments and things, are you 4 seeing that they're being treated and not -- or 5 6 diagnosing -- what we typically are diagnosing 7 every year? Do you think anyone is falling under the cracks here -- through the cracks? 8 SECRETARY TORRES: Yeah, I don't have 10 that level of information in terms of specifics 11 related to what you're asking right now. 12 REPRESENTATIVE SCHROEDER: Okay. Thank 13 you very much. I appreciate that. 14 Thank you, Chairman. 15 MAJORITY CHAIRMAN SAYLOR: 16 Representative Krueger. 17 Representative, if you would take your 18 name tag with you, plate, thank you. 19 REPRESENTATIVE KRUEGER: Thank you, Mr. Chairman. 20 21 Thank you, Secretary, so much for 22 joining us here today. I've appreciated your 23 answers to the questions on COVID vaccines because, like so many of my colleagues, the questions we're 24

getting from seniors in my district office right

now are mainly about how to schedule an appointment. And while I know that's under the purview of the Department of Health and not the Department of Aging, I would urge you and your staff to do everything you can to make sure that our seniors are getting first in line for those important doses.

The question that I have for you today, though, has to do with the Older Adult Financial Exploitation Task Force. Before the pandemic, I believe the last event that we held in person in my district was an educational session with our district attorney for seniors in our community in Delaware County about financial exploitation.

And I have heard heartbreaking stories of folks who somehow got scammed and lost significant amounts of money because they thought they were helping a grandchild or somebody else.

So, can you bring us up to speed on what's happening with the Older Adult Financial Exploitation Task Force?

SECRETARY TORRES: Sure. I'd be happy to. That task force was a recommendation that came out of a study that we did and we released back in September of 2020, and we were directed by the

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Governor, through his executive order on protecting vulnerable populations to conduct that study to see what the impact of financial exploitation of older adults was in Pennsylvania and what the impact is to the Commonwealth.

So, we -- You know, we issued our findings. We worked with an inner agency work group just to see what are the barriers to sharing information; to being able to proactively do more than we've been doing to prevent or mitigate exploitation of older adults.

The task force is basically that group of in -- agencies that are working together, and we added private sector representatives. So we have representatives from law enforcement, from health care, from aging stakeholders, the judiciary, and from the financial services sector.

We've had two meetings. We have our third meeting next week.

We've had over 50 individuals

participating with a goal of coming up with

recommendations, concrete, practical

recommendations that we can -- we can implement to

try to stem the tide of financial exploitation.

I'll give you one quick example.

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We had a lady whose grandmother was scammed out of hundreds of thousands of dollars. And if you look at the findings that we came up, most of the perpetrators are family members. In this case, it was an uncle that stole hundreds of thousands, probably close to a million dollars off the grandmother because he cashed in a life insurance policy.

The problem here was, you have two powers of attorney, and it was one uncle that managed everything. There were various steps along the way that somebody could have intervened, either the bank, the nursing home. If some questions would have been raised, then the other power of attorney would have came in, perhaps, the damages could have been -- could have been mitigated there.

So, try and look at what advice do we give people, for example, that have early dementia, you know, if you're diagnosed with early dementia, are people being advised by a health care professional to save their assets and resources so that they don't lose it and then become dependent on the state.

So, I'm hoping to have recommendations by the end of April, which would be our fifth

meeting.

REPRESENTATIVE KRUEGER: And can you tell us, I know that other forms of fraud and abuse have really increased during this pandemic, unemployment compensation fraud, for example, and folks who are now getting tax returns for benefits they never actually were eligible for.

Have we seen an increase in financial exploitation of seniors during the pandemic?

SECRETARY TORRES: There's been an increase over the past several years of financial exploitation. There was a lot of COVID-related scams, and even scams related to the vaccine that we have to be careful about. So yes, you're absolutely right.

You know, these scams, it seems like every time we have a situation like we're dealing with now, these bad actors come out trying to see how they can take advantage of individuals, particularly older adults who are more vulnerable, typically, than other individuals.

REPRESENTATIVE KRUEGER: And vaccine scams, that's concerning because, again, we know that seniors are one of the groups that are most likely to die from COVID if they contract it. What

1	kind of vaccine scams are we tracking in
2	Pennsylvania right now?
3	SECRETARY TORRES: Well, I haven't
4	tracked any directly. But, we work with the
5	Attorney General's Office. I know they are
6	constantly warning the public about scams. People
7	calling up and saying, we can get you scheduled,
8	trying to get money for it. Those are the things
9	that older adults need to be worried about and
10	vigilant.
11	REPRESENTATIVE KRUEGER: Thank you, Mr.
12	Secretary.
13	Thank you, Mr. Chairman.
14	SECRETARY TORRES: Thank you.
15	MAJORITY CHAIRMAN SAYLOR:
16	Representative Rosemary Brown.
17	REPRESENTATIVE R. BROWN: Thank you,
18	Mr. Chairman.
19	Thank you, Mr. Secretary. Sort of
20	continuing on that conversation of protecting our
21	seniors.
22	The most recent Older Adult Protective
23	Services Annual Report for '19 to '20, 2020, shows
24	the RONs, which are the Reports of Need, as you
25	know, which are allegations of abuse, they

1 increased by over 80 percent over the past five years. So, to address this need, the 2018 and '19 2 budget and the 2019-20 budget added a combined 3 total of 5 million to the PennCare appropriation for increased protective services, which was 5 6 roughly a 5-fold increase over the \$902,000 shown 7 as actual expenditures for protective services back in 2017 and '18. 8 Some of your appropriation hearing 10 materials reflects the actual expenditures for protective services in 2019 and '20 of 6 point --11 12 almost \$8 million. Is that an accurate number? 13 (Pause). 14 REPRESENTATIVE R. BROWN: I believe it's 15 on page 20 of your hearing materials. 16 SECRETARY TORRES: Yeah, I'm going to 17 ask my deputy secretary, Steve. 18 DEPUTY SECRETARY HORNER: Yes, that's 19 correct. 20 SECRETARY TORRES: Okay. Thank you. 2.1 REPRESENTATIVE KRUEGER: So, for the 22 actual expenditures, once again, for protective 23 services in 2019-20 budget, 6.764 million, that's 24 an accurate number. Thank you.

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The appropriation hearing materials also

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1
      show available and budget expenditures for
 2
      protective services in 2020 to '21 and 2021 to '22
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      of $5.9 million. Why is there a 13 percent
      decrease from the 2019-20 budget when, actually,
      the 2019-20 Older Protective Services Annual
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 6
      Report, which I mentioned in the beginning,
      indicates there's a need for services to continue
      to increase? So, why is there a 13 percent
 8
      decrease when the need is showing to increase?
10
                 SECRETARY TORRES: I'm sorry. Which
11
      line item was that again that you're --
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                 REPRESENTATIVE R. BROWN: I'm looking at
13
      the 2019-20 budget. I'm looking from the budget
14
      expenditures, the hearing materials that you gave
15
      us show the budget expenditures for protective
16
      services for the '20-21 and the '21-22 budget of
17
      5.9 million. That shows a 13 percent decrease from
18
      2019 and '20. But yet, the older services -- Older
19
      Protective Services Report indicates there's a need
      for an increase.
20
21
                 DEPUTY SECRETARY HORNER:
                                            I can help
22
      with that, Secretary.
23
                 SECRETARY TORRES: Okay. Go ahead,
24
      Steve.
25
                 DEPUTY SECRETARY HORNER:
                                            Sure.
                                                   There
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looks -- there's a decrease because of the 1 attendant care patient fees, but the actual for 2 protective service did not -- that is not -- that 3 did not go down. So it looks like it did go down, 4 but it's actually -- because of the attendant care 5 6 dollars that went down, that's why that line item 7 looks decreased. REPRESENTATIVE R. BROWN: So when you 8 say attendant care dollars --10 DEPUTY SECRETARY HORNER: Yes, attendant 11 care patient fees. 12 REPRESENTATIVE R. BROWN: Yeah. T ' m 13 talking about protective services. Are we on the 14 same page here? 15 DEPUTY SECRETARY HORNER: Yeah. It's in 16 the PennCare budget piece. There's two components, the attendant care and adult protective services. 17 18 REPRESENTATIVE R. BROWN: Yeah, and I'm 19 asking -- I'm asking specifically about protective services. 20 21 DEPUTY SECRETARY HORNER: Correct. 22 Protective service amount did not go down. 23 REPRESENTATIVE R. BROWN: So, it does show that the actual for 2019-20, 7.2, and the 24 25 available for '20-21, 5.9, and the budget request

1 is 5.9. 2 REPRESENTATIVE R. BROWN: So, I'm just, you know, when you look at that flatness there and 3 you look at the increase, there's an increase in 4 service needs. 5 6 DEPUTY SECRETARY HORNER: Yes. 7 REPRESENTATIVE R. BROWN: Well --SECRETARY TORRES: If you'll allow us, 8 9 we'll get back to you on that --10 REPRESENTATIVE R. BROWN: Yeah. 11 SECRETARY TORRES: -- just to clarify. 12 But Steve is correct. You initially 13 mentioned that, you know, we got over the previous 14 two years approximately 5 million to support protective services, and that -- that was not 15 decrease. It should be --16 17 REPRESENTATIVE R. BROWN: If you can 18 provide us some clarification on that, I think 19 there's some need. 20 I'd like clarification, because I am out 21 of time, on the elders right protection 22 appropriation money, that we have not utilized some of those additional funds. I'd like to know why 23 they are not being spent. It's showing that no 24

state dollars right now at this time. There's no

match for that. So I'm kind of curious why we're not using those federal dollars as well.

Thank you, Mr. Chairman.

MAJORITY CHAIRMAN SAYLOR:

Representative Kinkead.

REPRESENTATIVE KINKEAD: Thank you, Mr. Chairman.

Mr. Secretary, what is the department doing to address the social isolation that is particularly impacting older adults now more than ever?

SECRETARY TORRES: Sure. We've been doing a lot of work. Actually, our Pennsylvania Council on Aging was working on social isolation as a priority before the pandemic, and they really stepped up their efforts, including early on in the pandemic, issuing a survey that got 3,700 responses throughout Pennsylvania to see how older adults were faring. We used that survey to inform some of our thinking.

We also, our long-term care ombudsman, we partnered with AARP who provided some funding, and we provided over a hundred cell phones and tablets to about 49 different long-term care facilities in 37 counties so that older adults,

residents, would have more opportunities to connect with their families and their loved ones. We received testimony -- very positive testimony from residents that were able to take advantage of those extra amenities. We partnered with Slippery Rock University.

Some of you in the west may have seen some very positive press recently, including an editorial from the Pittsburgh Post-Gazette that highlighted a program we started last -- last semester, and it's continuing this semester with even more students, where we're matching up older adults with students who are students of recreational therapy at Slippery Rock and taking classes related to aging within their curriculum.

So, we all saw our long-term care ombudsman, since they've been restricted from going into long-term care settings, have purchased Padbots with some of the CARES funding that we received. These are basically small robots with an iPad that they navigate into a long-term care facility, and they can go directly to a resident and engage privately and directly to them -- with them with videoconferencing.

So, I'm really proud of the work that

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the Pennsylvania Council on Aging, the Area
Agencies on Aging, and our department staff have
done because of the concerns that we've had early
on related to the health and well-being of older
adults and the impact of sociali -- social
isolation throughout this pandemic.

REPRESENTATIVE KINKEAD: Thank you,

Mr. Secretary. And much focus of our focus today

has been on the pandemic, and rightly so. But,

support for our seniors extends beyond the

immediate need.

I'm wondering what the department is doing to continue and expand its support of senior centers, and to ensure that those critical community supports are still available and survive after the pandemic?

SECRETARY TORRES: Yeah. Unfortunately, 95 percent of our senior centers have been closed and many remain closed.

What we've done -- What we did this year, every year we get an allocation of \$2 million to support senior community center grants, and these are typically competitive grants because, sometimes, senior centers will come in and they'll have a capital need to improve their senior center

to make sure the seniors who are participating are safe and there's no health- related issues with the facilities. Those are a little bit higher-priced items in terms of a grant.

But this year, because of the pandemic, because so many of them are closed, we decided to

because so many of them are closed, we decided to basically take the \$2 million and split it evenly among eligible senior centers so they could use it for administrative expenses, they could use it to purchase supplies or equipment; anything that they might need to prepare to bring seniors back in.

So, we're very sensitive to the fact that, you know, senior centers that are an integral part of seniors being able to participate and engage socially and receive education and wellness programs are a big part of what we need to support in the communities, especially after this pandemic is -- is over.

REPRESENTATIVE KINKEAD: Right. Thank you, Mr. Secretary.

Thank you, Mr. Chairman. I yield my time.

SECRETARY TORRES: You're welcome.

MAJORITY CHAIRMAN SAYLOR:

Representative James.

__Key Reporters-

1 REPRESENTATIVE JAMES: Thank you, Mr. Chairman. 2 3 Good afternoon, Secretary Torres. SECRETARY TORRES: Good afternoon. 4 REPRESENTATIVE JAMES: I want to switch 5 6 gears for a moment and talk about the Area Agency on Aging, locations, and the services there, if I 7 8 may. Last year you commented, at the time you 10 had nine Triple A's scored as red. I think what 11 you're doing is like a traffic signal, red, yellow 12 and green. How many of those nine agencies, the 13 red agencies, have gotten themselves out of the red 14 zone? 15 SECRETARY TORRES: Well, we currently 16 have six, so that would be three. But again, we do 17 ongoing monitoring, so I don't know -- I would have 18 to look to see which, you know, how many are still 19 in the red from the prior monitoring session. REPRESENTATIVE JAMES: Okay. So, about 20 21 how many are in yellow and about how many are in 22 registered green, roughly? 23 SECRETARY TORRES: Yes. Six in red as 24 of early January, 10 in yellow, and 36 in green. 25 And we, you know, to add more context,

we provide a lot of technical assistance. We're working with, obviously, the ones that are in red to make sure that they're getting back to where they need to be performance-wise. So that's an ongoing process for us in terms of working with the Area Agencies on Aging that needs some support.

REPRESENTATIVE JAMES: I believe last year, part of the issue with the red designations was staff turnover. Have you been able to deal with that?

SECRETARY TORRES: Well, again, that's a -- that's a local -- that's up to the local Area Agencies on Aging. They're required to maintain staffing at a level where they can manage the cases. We do monitor that when we go out and perform these -- these oversight visits.

Those are the kinds of things we'll discuss with them in terms of, you're understaffed or we believe you're understaffed based on the caseload -- the individual caseloads.

REPRESENTATIVE JAMES: So, there was one disturbing comment, I think, I wanted to point out in your report, is that, it's possible that some of the agencies might be imposed a financial penalty if they were blatent and disregarded your

instructions.

I'm wondering, what would motivate, number 1, the general manager of a Triple A not to try to comply with your requests or directives?

And number 2, don't you believe, or at least I believe in the carrot-and-stick routine, that there must be some way to motivate somebody to do the right thing as opposed to fining them when they're probably running short of money, anyway?

SECRETARY TORRES: Yeah. I'm not exactly sure what you're referencing in terms of the comment. But, we -- you know, we receive federal dollars, and we have state statutes and regulations that pretty much spell out what's expected performance-wise. You know, that's why we're monitoring. That's why we're trying to provide technical assistance.

We've -- You know, we've put together a quality assurance report to make sure -- to help Area Agencies on Aging. So, I don't necessarily approach issues with a stick. If there's a situation that requires that is because, perhaps, either the attempts of remediations are, you know, are not succeeding or there are some other issues.

But, again, for the most part, I work

1	very collaboratively with the Area Agencies on
2	Aging.
3	REPRESENTATIVE JAMES: Let me compliment
4	you. Last week when the announcement came out with
5	a phone number of some of the local areas
6	I come from a rural western Pennsylvania
7	district. It was the very next day I was in a
8	pharmacy, and the pharmacist asked me specifically
9	what could he do or what could we do to help
10	seniors who don't have computers and lack
11	transportation. And I said, aha. I have just the
12	thing for you. I shared the phone number, and he
13	thanked me very much. So, some of the ideas are
14	working very well, and I appreciate those.
15	I think I'll end on that high note. I
16	had one more question, but I'll cede back my time.
17	Thank you very much.
18	SECRETARY TORRES: Thank you.
19	MAJORITY CHAIRMAN SAYLOR: You can't
20	cede back time you don't have.
21	With that, we'll recognize
22	Representative Linda Culver.
23	REPRESENTATIVE SCHLEGEL-CULVER: Thank
24	you, Mr. Chairman.
25	And thank you, Secretary Torres, for

1 taking our questions. 2 SECRETARY TORRES: You're welcome. 3 REPRESENTATIVE SCHLEGEL-CULVER: I want to talk a little bit about PennCare. It's my 4 5 understanding that the appropriation covers all 52 Areas Agencies on Aging for the Administration and 6 to provide these critical services: Home and community-based services, home-delivered and 8 congregate meals, home health, personal care, 10 senior centers, information and referral, passenger 11 transportation, attendant care, adult daily living, 12 home support, and protective services. 13 So my question to you is, that's quite a 14 hefty list. Those are critical services. 15 keeping people in their own homes. It's keeping 16 them safe, and it's keeping them healthy. 17 So my question is, is there a waiting 18 list for the option services? 19 SECRETARY TORRES: Yes, there is a waiting list. And, historically, we've -- we 20 2.1 always have a waiting list because I think it's 22 important for everybody to recognize that we just 23 completed our four-year state plan on aging. Over 3 million individuals in 24 25 Pennsylvania are over the age of 60, and that's

25 percent of our population. And that's projected to grow over the next nine years to 4 million, or nearly one in three Pennsylvanians. So, there's always going to be this demand for services.

We do have a waiting list. It's currently 3,344 individuals. But what I want to point out is that, it doesn't mean that those three plus thousand individuals are waiting -- have no services that they -- that they're using. Most of them -- over half of them have one service, but there might be other services that they're in need of and they're waiting for.

REPRESENTATIVE SCHLEGEL-CULVER: Is that number as of the end of last year?

SECRETARY TORRES: That's correct. That's as the end of December, 3,344.

REPRESENTATIVE SCHLEGEL-CULVER: So, do we anticipate a large jump this year just because we've had the year of COVID? We've had so many seniors that have been shut in and not getting their normal activities and the normal stimulation they would normally get?

SECRETARY TORRES: Well, you're right.

The need did go up because of COVID since everybody
was shut in. But, actually, since the beginning of

2020 -- at the beginning of 2020, we were over 1 4,000. So we were able to reduce -- Using federal 2 funding from the supplemental COVID relief bills, 3 we were able to reduce it 19 percent. 4 REPRESENTATIVE SCHLEGEL-CULVER: 5 Do all 6 52 agencies have a waiting list, or are there some that don't? 7 SECRETARY TORRES: There are some that 8 don't, but most of them do. 10 DEPUTY SECRETARY HORNER: There's 40 --11 40 that have a waiting list. 12 SECRETARY TORRES: Thank you, Steve. 13 REPRESENTATIVE SCHLEGEL-CULVER: Okay. 14 So, it's my understanding that the 15 Lottery Fund is projected to have an ending balance 16 of about \$4 million, and an additional 75 million 17 in reserve. So, why are we not using some of those 18 dollars to create some sort of an initiative to get 19 rid of the waiting list? 20 SECRETARY TORRES: Well, we actually had 2.1 requested, for this fiscal year, 8.1 million in the 22 previous budget request to support reducing the waiting list. Unfortunately, because of the 23 pandemic and the Commonwealth's budget situation, 24

that didn't happen.

But, we were able to supplement our funding and our needs, at least for this year, with CARES funding, and we still have -- we still have that funding to work with.

REPRESENTATIVE SCHLEGEL-CULVER: And would that request get rid of the waiting list or just help alleviate some of the waiting list?

it, because again, these waiting lists, what happens is, the individuals who get the services there's always a needs assessment that's performed, and each individual is scored. So the individuals with the highest need get prioritized.

So even though you're seeing a waiting list of a couple thousand, a good portion of them are not -- you know, are functionally independent, and they're not what I would classify as a high, you know, a high need for this particular -- for these particular services.

I mean, they're there to get services.

They -- Definitely, if they need in-home meals,
they get in-home meals. If they need in-care
management, which is functional assessment of their
capacities and capabilities. If they need adult
daily living services, we'll prioritize those, as

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1 well as personal care services. So that's care in 2 the home to help them with their activities of 3 daily living. So --REPRESENTATIVE SCHLEGEL-CULVER: All 4 right. It would just be my request that we try to 5 do better for the seniors that we have on the 6 waiting list. And I am extremely concerned about 7 what's going to come to us this coming year, just 8 given the year we just experienced. 10 But, thank you for your time today. Thank you for answering my questions. 11 12 And thank you, Mr. Chairman. 13 SECRETARY TORRES: Thank you. 14 MAJORITY CHAIRMAN SAYLOR: 15 Representative Owlett. 16 REPRESENTATIVE OWLETT: All right. 17 Thank you, Mr. Chairman. 18 And thank you, Secretary, for being 19 here. Just a couple quick questions for you. Hopefully, we can roll through these. 20 21 Early on, in COVID-19, Governor Wolf 22 entered into a, kind of like a working relationship with some of the surrounding states. What were 23 those states that we were in this working 24 25 relationship with?

SECRETARY TORRES: I'm not sure what you're referring to, Representative.

REPRESENTATIVE OWLETT: Okay. So you weren't included in any of those conversations with some of these surrounding states like New York, New Jersey? I can't remember what the other ones were.

SECRETARY TORRES: You may be referring to the collaboration that was going on between the Department of Health and -- and, you know, at the Governor's level.

REPRESENTATIVE OWLETT: Yes. That's what -- Was the Department of Aging involved in any of those conversations?

SECRETARY TORRES: No.

REPRESENTATIVE OWLETT: Okay

I want to talk a little bit about our nursing homes and the deaths that we have seen here in Pennsylvania. My colleague on the other side of the aisle talked a little bit about this. Really, it's just -- it's so heartbreaking.

In mid-March the Secretary of Health issued guidances requiring nursing homes to admit individuals that were tested COVID-19 positive that were being discharged from hospitals back into the nursing homes. I think everybody in this room

1 would have probably said, hey, that may be a 2 problem. Did you have any concerns in March of 3 2020, with this quidance from the Secretary of 4 Health? 5 SECRETARY TORRES: I think what's 6 7 important for everyone to remember is that, long-term care facilities are the homes of these 8 9 residents. 10 REPRESENTATIVE OWLETT: I agree with 11 you. But did you have concerns with that? 12 SECRETARY TORRES: Well, that was the 13 decision of the Secretary of Health. 14 REPRESENTATIVE OWLETT: Did the 15 Secretary of Health consult you at all in this 16 decision? 17 SECRETARY TORRES: No, sir. 18 REPRESENTATIVE OWLETT: So, they did not 19 reach out to the Department of Aging before they made a decision to put COVID-19 positive patients 20 into nursing homes? They did not reach out to you? 2.1 22 SECRETARY TORRES: No. Whatever 23 decisions were being made from a public health standpoint were within the Department of Health. 24 25 was not --

REPRESENTATIVE OWLETT: Do you believe the guidance resulted in a higher number of nursing home deaths because of COVID-19?

SECRETARY TORRES: That's not a question that I'm prepared to answer at this point.

Again, the guidance that we were given, ultimately, Secretary Levine was doing her best to keep everybody as safe as possible. She was issuing guidance that she felt supported that.

REPRESENTATIVE OWLETT: I want to talk a little bit about this collaborative that we were working on with the Department of Health.

One of the states we were working with was New York State. My district borders New York State. A lot of the media that we get comes from New York State media. And right now it's blowing up up there because Governor Cuomo has really hidden a lot of the numbers and misled the public on these numbers.

What kind of -- I have folks that have reached out with concerns reporting that maybe our numbers are not being reported correctly. Are they -- Are they right to have these same concerns?

SECRETARY TORRES: Representative, these are -- these are really questions for the

Department of Health. I don't have access to those numbers. Those are -- These are issues that the Department of Health was monitoring, and, you know, throughout this pandemic and even to the present day. They are reporting numbers and being transparent with their reporting. So I would defer to the Department of Health on some of these questions.

REPRESENTATIVE OWLETT: We're definitely going to bring them up to the Department of Health as well. But I feel like, with your involvement with out nursing homes -- I mean, you were directly involved with our nursing homes. It just shocks me that you would not have been involved in some of these conversations. And I think -- I think our constituents, you know, are also shocked with this as well.

Do you know, is this collaboration still ongoing with some of these other states?

SECRETARY TORRES: Again, I would have to defer to the Department of Health.

I just -- I just want to clarify. Our department's role with long-term care facilities is to advocate and support the residents and their families. I don't have any licensing authority

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1 over them -- That would be Department of Health -- for 2 skilled nursing facilities, and Department of Human Services for assisted-living, personal care home, 3 and other intermediate care facilities. 5 So, I think your questions would be better directed to both of those departments. 6 REPRESENTATIVE OWLETT: I appreciate your advocacy for our seniors. We need to be 8 advocating for them, and we need to be doing that 10 in March. We need to be doing that all the time, 11 and we're doing that here today. So I appreciate 12 your time. I'm out of time. 13 Thank you, Mr. Chairman. SECRETARY TORRES: Thank you. 14 15 MAJORITY CHAIRMAN SAYLOR: 16 Representative Lawrence. 17 REPRESENTATIVE LAWRENCE: Thank you, 18 Mr. Chairman. 19 Mr. Secretary, the Department of Aging 20 issued a press release on March 18, 2020, at the 21 beginning of the COVID pandemic quoting you, 22 stating, quote, the Wolf Administration is 23 committed to protecting Pennsylvania's most vulnerable citizens. And during this COVID-19 24

outbreak, our older adults, and especially those

with underlying medical conditions, are the most vulnerable.

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On that same day, the Department of

Health issued its not infamous guidance for nursing
homes stating that, quote, nursing care facilities

must continue to accept new admissions and receive
readmissions from COVID-positive patients.

According to the New York Times,

Pennsylvania is one of 10 states where over half of

COVID deaths are linked to nursing homes. It ranks

third among the 50 states in the number of COVID
related nursing home deaths. Looking at the number

of COVID deaths in specific nursing homes, the New

York Times states that Pennsylvania has two of the

top 12 in the nation, one of which is Brighton

Rehab in Beaver County.

As you know, Congressman Conor Lamb called for a federal investigation into steps taken by state-appointed managers of Brighton Rehab. On February 3rd, an article on TribLive entitled, quote, Grand Jury Convened on Brighton Rehab, details the ongoing federal investigation into what happened at Brighton.

To my surprise, the article reports, quote, the Pennsylvania Department of Aging filed a

Motion to Quash a subpoena served on the Beaver County Office of Aging to produce documents regarding complaints or investigations into Brighton.

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Now, Mr. Secretary, we all recognize that we were dealing with a great deal of uncertainty, particularly at the beginning of the pandemic, and mistakes were made. But I want to know, why is the Department of Aging, the department you lead, filing a motion to halt the release of documents in a federal investigation of Brighton?

SECRETARY TORRES: Yeah.

Representative, it's really just a procedural issue. State law does not allow us to provide the kind of information that was requested through a subpoena. It must be a court order, so it really is just procedural. It's not that anyone is trying to withhold information, you know. So we're complying with state law that governs the release of information that we have.

REPRESENTATIVE LAWRENCE: So,

Mr. Secretary, with due respect, I think that's

baloney. I'm guessing you're referring to the

Older Adults Protective Services Act. This act

says, information shall not be disclosed outside -anyone outside of the agency, but it then says,
other than to a court or competent -- a court of
competent jurisdiction or pursuant to a court
order. We have a subpoena in this instance.

In the preamble of the same act, the Older Adults Protective Services Act states, quote, this act shall be liberally construed to assure protective services to older adults in need of them.

The whole point of the law is to protect vulnerable seniors. Your own March press release states that you're committed to protecting vulnerable seniors. Your department can liberally construe your authority, but you are not. You are not protecting seniors when your department files a court Motion to Quash this subpoena. Your department is on the record now looking to block this investigation.

But even if I accepted your premise, the emergency declaration law allows the Governor to suspend rules or regulations of any state agency coping with the COVID emergency.

You report to the Governor. If you really believe the law requires you to block the

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1	release of documents to federal investigators, you
2	can ask the Governor to authorize it. But I don't
3	see that. I see you standing in the way of a
4	federal investigation into what happened at a
5	nursing home under supervision of a state-appointed
6	manager.
7	Have you spoken to the Governor about
8	this?
9	SECRETARY TORRES: No, sir. I follow
LO	the advice of our counsel.
L1	REPRESENTATIVE LAWRENCE: You have not
12	direct You report to the Governor, and you have
L3	not discussed the situation at Brighton with him?
L 4	Is that what you're saying?
L5	SECRETARY TORRES: This is a legal
L 6	matter, Representative. Again, I
L7	REPRESENTATIVE LAWRENCE: I'm not asking
L8	anything about a legal matter. I'm asking why your
L 9	department filed a request to quash the subpoena.
20	I'm not asking about the underlying case.
21	SECRETARY TORRES: You're not
22	REPRESENTATIVE LAWRENCE: I'm asking why
23	your department filed that.
24	SECRETARY TORRES: And I've answered
25	your question. We may disagree on it, but it's a

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1
      procedural matter. We interpret it, our
      legislation or the rules that a subpoena was not
 2
 3
      enough. We need a court order.
                  REPRESENTATIVE LAWRENCE: Mr. Secretary,
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      are you asking me to believe that the Governor and
 5
 6
      his Secretary of Aging haven't talked about this
 7
      situation, the nursing home under federal
      investigation with one of the highest COVID death
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 9
      rates in the nation?
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                  SECRETARY TORRES: I've discussed it
      with our counsel. That's who I've discussed it
11
12
      with.
13
                 REPRESENTATIVE LAWRENCE: My time is up.
14
      Thank you, Mr. Chairman.
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                 MAJORITY CHAIRMAN SAYLOR:
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      Representative Zimmerman.
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                  REPRESENTATIVE ZIMMERMAN:
                                             Thank you,
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      Mr. Chairman.
19
                  And thank you, Secretary, for your time
20
      today.
21
                  So, just shifting gears a little bit,
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      what's the -- what's the percent of your
23
      department's staff that's working from home; that's
      now working out of the home rather than from the
24
      office?
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SECRETARY TORRES: About 90 percent. We typically have about -- There's only about 10 employees that are authorized to come into the office to take care of financial matters, stay on top of legal matters, and to support our pharmaceutical assistance benefit program.

REPRESENTATIVE ZIMMERMAN: So with that, what kind of oversight have you put in place to assure that these employees working remotely are actually being productive?

Also with that, have you given any guidance to some of the agencies that you would work with as well?

SECRETARY TORRES: Well, I meet with my management team every morning. We have been doing that since the beginning of the pandemic. I know the management teams are engaged with their employees, so I trust that they are providing the necessary supervision and oversight.

We've had a lot of work throughout this pandemic, so I am very satisfied based on the output of work that we've done and the different initiatives that we have been able to get started and to work on despite not being able to meet in person. So I think we have, you know, very good --

very good production. We haven't really suffered
in terms of our productivity because of the
pandemic.

REPRESENTATIVE ZIMMERMAN: So, with
that, you believe the follow-up time has not become
less with constituents or even a state rep asking

SECRETARY TORRES: The follow-up time?

REPRESENTATIVE ZIMMERMAN: Response

time, phone calls, or inquiries of any type.

SECRETARY TORRES: Well, I mean, we -we have a central line and that's being monitored.
We're all using what's at our disposal in terms of
e-mails, on our virtual meetings.

I can tell you -- I'll give you one example that I think it's reflective of the type of work we have been doing. We had a state plan on aging that we had to get prepared and submit to the federal government. We had to engage the community. I have virtual forms that over 500 people participated in.

We had a survey that we conducted.

5,600 responses helped to inform the state plan on aging. So, we've been managing, and in some cases actually getting more engagement from, you know,

questions?

the public because we've done it virtually and allowed people to either dial in or videoconference in. But, we're keeping up with the workload and trying to be as responsive as we can to older adults and anybody else who needs our support.

REPRESENTATIVE ZIMMERMAN: Okay, good.

Well, just as a -- kind of to end it, so with most employees being at home or working from home, have you -- has your department incurred any extra costs, or actually achieved some savings through that?

SECRETARY TORRES: Well, I guess we have achieved savings because we're not traveling, we're not holding conferences. We typically have a lot of conferences throughout the year, and we've been able to do them virtually.

In fact, I've talked to the management team about that because I said, you know we're limited expense-wise when we have in-person conferences. We should really think about doing it as a hybrid because, if our objective is to have more outreach, to make more people aware of the services that we provide, I think in the future that should be a definite consideration for how we do business.

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                  REPRESENTATIVE ZIMMERMAN: Okay.
 2
      you, Mr. Chairman.
 3
                  Thank you Mr. Secretary.
                  SECRETARY TORRES:
 4
                                     Thank you.
                 MAJORITY CHAIRMAN SAYLOR:
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 6
      Representative Sanchez, who's virtual.
 7
                 REPRESENTATIVE SANCHEZ: Thank you,
      Mr. Chairman.
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 9
                  Thank you, Mr. Secretary, and your team
10
      for being here today.
11
                 We discuss the PASS system, the
12
      Pennsylvania Agricultural Surplus System.
13
      Governor's executive budget (video difficulty) an
14
      additional million dollars into that system for
15
      this year.
                  SECRETARY TORRES: I'm not familiar with
16
17
      the system.
                 REPRESENTATIVE SANCHEZ: This is for
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19
      hunger and food insecurity.
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                  SECRETARY TORRES: Oh, okay.
21
                  REPRESENTATIVE SANCHEZ: Is that
22
      something you could comment on to -- Have you seen
23
      an uptick in the food insecurity for seniors, and
      not only just in recent times, but since the
24
25
      pandemic has started? Particularly interested
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in --

And does your agency have plans to address those items?

SECRETARY TORRES: I apologize for interrupting. I just thought you were referring to a specific system.

Yeah. In terms of food insecurity and hunger, since the start of the pandemic, that was one of our biggest concerns, especially because senior community centers were closing down. You could no longer engage in congregate meals, which was -- You know, we have over 500 senior centers across Pennsylvania, so it was a pretty large impact.

But what ended up happening was, as these senior centers closed, we started converting to in-home delivered meals. Senior centers that had kitchen capabilities were preparing meals, and they were either coming and, you know, picking up the food and taking it home, or driving by, grabbing, and going with the meals. So, we put a lot of priority into making sure that seniors would not go hungry.

The supplemental bills that we've gotten for COVID relief, the first one was nearly

10 million for food. And then we received the second. The CARES funding also provided additional monies for meals to support older adults. And then this last supplemental round that just came out in December, we have an additional 7 plus million for meals.

It's been something that the department, the Area Agencies on Aging have been very sensitive to, making sure that any senior that was home alone and needed meals were not going hungry.

In terms of, you know, the Governor in his cabinet meetings, everybody usually reports out. The Department of Agriculture, throughout the pandemic, gave us updates on the food supply, where we were having issues.

But, in terms of, you know, for example, the food banks were doing a lot of work to box up meals. I know I went and participated in some of -- some of that preparation to get boxes to seniors. So there was administration all in all, I would say, has been very responsive to seniors as it relates to food and food insecurity.

REPRESENTATIVE SANCHEZ: Great.

Do you feel, as far as the funding, that additional dollars would be welcomed, or do you

feel, like, the seniors' needs are being adequately met or that the, you know, toward the end of the pandemic here, do you expect to see continued need for those who are suffering through insecurity?

Of course, I guess generalized through insecurity would exacerbate that problem as it would (video difficulty) food banks and other supplies?

SECRETARY TORRES: Yeah. The resources, especially from the federal government, were definitely welcomed. They gave us a lot of flexibility to make sure that we could support the nutritional needs of seniors.

Once more people get vaccinated and senior community centers start opening up, we'll probably shift back to congregate settings, and that will shift some of the resources around compared to where they're at now.

But, definitely, the demand for in-home meals have increased. It remains to be seen when we transition back how many of those individuals will remain, you know, receiving in-home meals or whether they'll transition back to a routine that they were familiar with before the pandemic, more congregate settings in a senior community center,

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1	for example.
2	REPRESENTATIVE SANCHEZ: Thank you,
3	Secretary.
4	Thank you, Mr. Chairman.
5	MAJORITY CHAIRMAN SAYLOR:
6	Representative Topper.
7	REPRESENTATIVE TOPPER: Thank you,
8	Mr. Chairman.
9	Thank you Mr. Secretary.
10	On page 5 of the Older Adult Protective
11	Services Annual Report, it indicates that the
12	regulatory requirements for face-to-face visits
13	with older adults was suspended except for
14	allegations of serious bodily injury, sexual abuse,
15	or serious physical injury.
16	How many, or what percentage of
17	investigations did this affect?
18	SECRETARY TORRES: I don't have that
19	number in front of me. That was something that we
20	did, because at the height of the pandemic we
21	wanted to minimize exposure to both staff and to
22	the older adults. So, if it was a situation where
23	information could be taken by phone, that was
24	acceptable.
25	REPRESENTATIVE TOPPER: So you said

something we did. Is that no longer -- Is that no longer the policy? Have we returned to in-person visits and investigations?

SECRETARY TORRES: That's correct. We gave -- Once we came back to, like, the green phase and beyond, we pretty much gave a lot of discretion to the Area Agencies on Aging based on what they were seeing at the local level.

For example, we've been -- On a weekly basis, we've been meeting with -- well, we've been reporting to adult day centers the positivity rate. We have been monitoring positivity rates in different communities, and depending on, you know, what we were observing, directors at the agency were allowed to make decisions, but not where it related to serious bodily injury or risk of death.

REPRESENTATIVE TOPPER: And do you know how many reports of need or the RONs were triggered by the telehealth appointments? In other words, I think what we're trying to figure out as a committee is how successful were those, or was this something we might have had some stuff fall through the cracks until we were able to get in-person visits again?

SECRETARY TORRES: I would have to

1 follow up with you. I don't have that level of 2 detail in front of me. REPRESENTATIVE TOPPER: If you could, 3 that could be great. I mean, I --4 Look, I understand as we -- Some of my 5 colleagues have brought up on both sides of the 6 aisle the issues that we had in your nursing homes, and I understand that the Department of Aging was 8 not necessarily responsible for the policies that 10 led to some of these travesties. So that fault 11 lies with the Department of Health, and some of it 12 maybe was unavoidable. 13 But, what I will say is that, as you 14 mentioned in your testimony, that you are an 15 advocate for our seniors. And it would seem to me 16 that the department that was to be advocating for 17 our seniors was somewhat steam-rolled by other 18 departments that became quasi-policymakers through 19 the state of emergency, and that's something that we need to make sure it never happens again. 20 21 Thank you, Mr. Chairman. 22 MAJORITY CHAIRMAN SAYLOR: 23 Representative Samuelson. 24 REPRESENTATIVE SAMUELSON: Thank you,

Mr. Chair.

Mr. Secretary, thank you for being here today and answering our questions about the Department of Aging. I have a question about the CARES funding. I know you mentioned some of it went to reducing the waiting list for the options program this past year by five or 600 spots, and some of it went for meals, meal delivery.

I just wanted to ask, what other uses were put into place for the CARES funding that you have received from the federal government?

SECRETARY TORRES: Sure. Thank you, Representative.

The first supplemental was referred to as the Family First COVID Relief Act, primarily provided funding for home-delivered meals, congregate meals, and that was 10.2 million.

CARES funding, which was the second supplemental, provided additional dollars, \$37 million, and that was used for supported services. That was 8 and a half million, plus supported services. Additional money for nutritional services, which was 20.4 million, and then caregiver services. So these would be things like transportation, care management, personal care information and referral. It was \$4.3 million.

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We also applied for a grant and received \$3 million for our aging and disability resource centers, and that's being used to provide care transition for individuals with disability that are transitioned back to a home from the hospital or nursing facilities. We're using that money for assistive technology, PPE, and support to avoid social isolation.

Our long-term care ombudsman, again with that second supplemental, received \$850,000, so the things I mentioned earlier about the Padbot, using videoconferencing technology to get into long-term care settings to work with the residents, buying computers, tablets. Leveraging technology as much as we can to help residents, and also buying PPE and other supplies that were needed throughout the pandemic.

In the last supplemental that we got, again, we got just over -- just over \$7 million for additional nutritional support. For the first time ever, we got like 3.8 million for protective services, to improve protective services during COVID, and we received \$169,000 again to support our long-term care ombudsman function.

I think that summarizes the federal

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money that we received under the last three supplementals.

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REPRESENTATIVE SAMUELSON: Thank you.

That protective services money, is that going out through the counties, like, the 5 million we talked about, the state money we talked about like

45 minutes ago?

SECRETARY TORRES: We're still deciding the exact scope of that because, after the legislation was passed, it took a few weeks for the Administration for community living to propose what the scope of that money would be used for, back to appropriations at the federal level. We just got instructions within the last two weeks, so we'll be working -- we'll be working to figure out how that's going to be allocated.

REPRESENTATIVE SAMUELSON: Keep us posted. I know you're very concerned about the shortage in direct care workers, and I noticed the budget has a one-million-dollar initiative for direct care training.

Can you tell us how that is going to work state wide, or are there going to be several different opportunities? Is it going to be county by county? Will direct care workers have to go to

1 central locations for the training? 2 SECRETARY TORRES: Steve, can you help 3 with that one? DEPUTY SECRETARY HORNER: I'm not 4 5 familiar with that, Secretary. 6 SECRETARY TORRES: Okay. Well, I know back in 2019, back in April, the Long-Term Care Council produced the blueprint on how to strengthen 8 our direct care workforce. 10 Representative, I can tell you training 11 was a big part of that. I'll get back to you with the details --12 13 Okay. REPRESENTATIVE SAMUELSON: 14 SECRETARY TORRES: -- on how the 15 training is going to be deployed. 16 REPRESENTATIVE SAMUELSON: Thank you. 17 And I also know the Governor is pushing for an 18 increase in the minimum wage, which has not been 19 changed in our state and our country for 11 years. And I know increasing the minimum wage would also 20 2.1 help attract and retain direct care workers all 22 across the state. 23 Last question, I noticed there's another initiative for agricultural surplus funds, another 24 25 million dollars for healthy meals to address food

1 insecurity. Can you give us some more details on 2 that, that million dollars for Pennsylvania 3 agricultural surplus system? SECRETARY TORRES: I'm not directly 4 familiar with that, but I will get back to you on 5 6 it. 7 REPRESENTATIVE SAMUELSON: Thank Okay. you very much. 8 And thank you, Representative Saylor. 10 MAJORITY CHAIRMAN SAYLOR: Representative Gary Day, Chairman of the House 11 12 Aging Committee. 13 REPRESENTATIVE DAY: Thank you, 14 Mr. Chairman. 15 Mr. Chairman, as a former appropriations 16 member, there's so many budget questions to ask 17 when I come here, but this committee has really 18 gone through and asked quite a few questions, and 19 thank you, Mr. Secretary, for answering them and enlightening the entire House of Representatives, 20 2.1 the work that you've been doing. 22 You know, one of the budget questions 23 that I have is the effect on the Governor's proposed minimum wage increase, and the effect of 24 25 it if you've had an opportunity to look into and --

You know, it's been brought up before about, what is your role in advocating for seniors before the Administration. Some of my colleagues have stood up and talked about that position. I feel the same responsibility that they're asking you to take on as well.

So the effect of the minimum wage increase on the cost of care for seniors who privately pay for services, whether it's in a nursing home situation or maybe out-of-pocket expenses, or any other situations.

Have you examined the Governor's proposal for the minimum wage increase and what it would do for seniors who are paying privately?

SECRETARY TORRES: It's likely that some of that cost will go up. I think some of the -some of the pros that should be considered is the stability of having a workforce that you don't see a whole lot of turnover and you don't have older adults that are facing a lot of stress because of a constant turnover of direct care workers.

I would also add, as Representative Samuelson said, personal care aides, nursing assistants, and home health aides are essential workers and would benefit from a rise in the

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minimum wage. A lot of these individuals,

20 percent, live in poverty and do -- do have some
form of government assistance. So I think there's
a lot of different angles to consider in terms of
the minimum wage, and why it would be an important
thing to consider.

REPRESENTATIVE DAY: Yeah, I appreciate that, giving the people an opportunity to see how you and the Administration view this impact that's possibly out there. I really appreciate that answer.

You know, you talked about there's

2.4 million seniors, and one of the growing
questions that people keep asking me is, when is it
my turn? I'll wait for my turn, but when is it my
turn? Am I going to be skipped? Am I gonna be
given a fair opportunity? 2.4 million seniors.

Last week the Governor said, a hundred percent of the residents and employees in long-term care have received their first dose. I'm not too sure about that number, but we won't stop there.

We'll just talk about -- That's about 10 percent of the seniors in Pennsylvania. How are we getting to the other 90 percent?

You know, I want to see a plan. I want

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to hear you say, well, there's 300,000 in home care. We're getting to them this way. There's 150,000 that are served by Meals on Wheels. And we're working through them. We're working through the churches, and there's about 400,000 seniors there, and get up to that 2.4 million, or the 3.2 that you talked about was 59 and over, because we know -- you and I know that people 50 and over have quite a high fatality rate when they have COVID.

So, this number is large, but I don't see a plan. I think it's important that the plan is in chunks of 2.4 million, if we use that number, and long-term care is only 10 percent of that? How are we getting to those other people? Can you list that off yet? Have you gotten to that point? Do you have that plan? Do you stand on the desk of the Secretary of Health and the Governor and advocate for seniors? That's my question.

SECRETARY TORRES: We represent seniors with the Department of Health and all of my other -- all the other agencies. Anything that we observe, we bring to their attention and coordinate.

I mentioned earlier the Area Agencies on Aging are working. They're working at the local

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level to do some of the things that you just itemized. I highlight it again, Butler County, because they have a good model where, working with their local health system, they're getting about 300 allocations a week. That enables them to line up older adults to get their vaccines.

They have a waiting list. Last week -They may have had a waiting list of 900, but,
again, that's moving at a rate of about 300 a week.
Plus, if the system has any cancellation, they're
being notified so they're able to move somebody on
the list. So I think that type of local community
model is the kind of model that we have to
replicate.

And Area Agencies on Aging are working on it. Within our department, again, PACE program has set up a unit and we're trying to get ahead of the level of frustration and anxiety that older adults have had trying to get an appointment. So we're working.

It's going to be multi-faceted. What works in one county may not be the best thing for another county. But I can tell you they're working on it, and we're being supportive of every Area Agencies on Aging that would like my support either

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1	making a connection with a potential partner or in
2	any other way that we could support them.
3	REPRESENTATIVE DAY: Mr. Secretary,
4	thank you for those answers. I really appreciate
5	that. I'm to the end of my time here today at the
6	Appropriations Committee. Therefore, we'll
7	probably be inviting you before our committee to
8	talk a little bit more about these issues. Thank
9	you so much.
10	And thank you to the Chairman and the
11	committee of the Appropriations Committee. Thanks.
12	SECRETARY TORRES: Thank you.
13	MAJORITY CHAIRMAN SAYLOR: After
14	checking with Chairman Bradford, neither he or I
15	have anything else to add.
16	And with that, thank you, Mr. Secretary,
17	and your staff for being a part of these hearings
18	today. Thank you very much.
19	With that, we will adjourn and we will
20	reconvene tomorrow morning at 10:00 a.m. with the
21	Department of Corrections.
22	(Whereupon, the hearing concluded).
23	* * * *
24	

1 CERTIFICATE 2 I, Karen J. Meister, Reporter, Notary 3 Public, duly commissioned and qualified in and for 4 5 the County of York, Commonwealth of Pennsylvania, hereby certify that the foregoing is a true and 6 7 accurate transcript, to the best of my ability, of 8 a public hearing taken from a videotape recording 9 and reduced to computer printout under my 10 supervision. 11 This certification does not apply to any 12 reproduction of the same by any means unless under 13 my direct control and/or supervision. 14 15 16 Karen J. Meister Reporter, Notary Public 17 18 19 20 21 22 23 2.4