Assisted Living Advisory Council (ALAC) Meeting Minutes
Tuesday, December 13th, 2022
10:00 AM
\*The meeting was held virtually via Zoom\*

ALAC members: Donna Bucca (experienced technical issues during the meeting), Nicole Breslin, Brian Danaher, Kimberly Martone, and David Santos.
EOEA staff: Secretary Elizabeth Chen, Matt Casey, Liz Gallagher, Trisha Marchetti, and William A. Travascio.

1. Call to Order:

The meeting was called to order at 10:05 AM by Secretary Chen.
2. Welcome and Introductions:

Secretary Chen thanked members of the Council, stakeholders, and members of the public for attending.
3. Approval of the Minutes:

The minutes from the September 27th, 2022 meeting were presented and approved by all those present.
4. EOEA Updates:

Secretary Chen began her update by talking about Landmark at Longwood, an assisted living residence (ALR) in Boston that closed in November 2022. When EOEA received the ALR’s notice of closure on July 5th, 2022 there were 80 residents on site, 135 days later the last residents were moved out. Case managers are still working to permanently place about a dozen residents. From the onset, an interagency incident command structure was set-up, overall 10 departments and programs were represented. Externally the incident command team met with the City of Boston, Age Strong Commission, the Boston Center for Independent Living, Upham’s PACE, Central Boston Elder Services, and Commonwealth Care Alliance among others. The City of Boston was instrumental in securing Section 8 vouchers to help placing individuals.

Landmark at Longwood ceased operations as an assisted living residence on October 5th, 2022. After which, wraparound services were provided (aides, meals, etc.) by the integrated care plans. Central Boston Elder Services was also onsite to provide services if needed as well. At the end of the 135 days, 30% of the residents were transferred to a community setting, 24% to another ALR, 16% to a rest home, and 30% to a nursing home. However, all are in a safe place even if it is temporary.

During this closure we learned from case managers that residents felt pressured to leave quickly, this is a violation of resident rights. The operator hired movers, but those movers were disrespectful and either lost or damaged the resident’s property along the way. In one situation the incident command team intervened and assisted in having a resident’s boxes and furniture delivered to the right address after the movers refused to correct an error they made when they delivered the items to the wrong address.

The Secretary noted that everyone involved put in significant work to make sure that residents were safe and were being moved to a better place. She felt heartened by the amount of goodwill and the *can-do attitude* of our stakeholders.

David Santos said a situation like this is heartbreaking, but felt that Landmark was not the best actor and not a good representation of what ALRs have to offer. Kim Martone added that she wondered if the regulations in place are strong enough to protect the aging and vulnerable population in our ALRs- particularly those without family present or without advocates.

Nicole Breslin thanked EOEA for pulling together a team to help those residents. She felt that the way ALRs treat residents entering their property is the way they should be treated when they leave. She was glad to hear they are in a better place now.

Brian Danaher echoed Nicole’s sentiments, adding the more that regulators and the regulated can work together to look at public policy options for low-income and middle-income elders is a big segment that needs to be addressed. He noted the Frail Elder Waiver is an important tool that he hoped could be used in ALRs, in the future.

Elissa Sherman, LeadingAge Massachusetts, noted that one of the challenges is the lack of affordable assisted living in Massachusetts. The few places that have closed recently primarily served lower income older adults. She felt that looking at the rates and subsidies would be key. Her organization has been working with the MassPACE Association to launch a guide for PACE and affordable senior housing options, so that older adults in affordable housing can get the supports that the PACE program offers.

Brian Doherty, Mass-ALA, said that the operator should have been more cooperative and not have made the process difficult for residents. They disengaged from Mass-ALA several years ago and noted that EOEA suspended them back in 2020. It is concerning that when residents did need to move that there were limited options in the Boston area accepting; SCO, PACE, or GAFC. He pointed to Maine and Illinois as 2 places where the Frail Elder Waiver has been extended to ALR.
5. Comments from Visitors:

Kathleen Lynch Moncata, MassNAELA, Landmark’s closure underscores that EOEA does not have the adequate tools under statute when something as dramatic as a closure happens. She also cited residency agreements as an area of concern. People moving into ALRs do not always fully understand what they are signing, such as waiving the right to a jury trial. There is a disconnect with respect to the information relayed at the time of move-in. Families are told the residence has programs available to help keep a resident in place when they run out of funds. However, that is not necessarily always the case and some get evicted.

The Secretary asked ALAC to provide the administration with recommendations for how to strengthen resident protections in ALRs, that could then be discussed with the Council.
6. Other items for discussion:

None.
7. Adjournment:

The meeting adjourned at 10:42 AM.