

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES

APPROPRIATIONS COMMITTEE HEARING

STATE CAPITOL
MAIN BUILDING
HOUSE FLOOR
HARRISBURG, PENNSYLVANIA

TUESDAY, FEBRUARY 15, 2022

PRESENTATION FROM
DEPARTMENT OF AGING

BEFORE :

HONORABLE STANLEY SAYLOR, MAJORITY CHAIRMAN
HONORABLE MATT BRADFORD, MINORITY CHAIRMAN
HONORABLE LYNDA SCHLEGEL-CULVER
HONORABLE TORREN ECKER
HONORABLE JONATHAN FRITZ
HONORABLE KEITH GREINER
HONORABLE DOYLE HEFFLEY
HONORABLE JOHNATHAN HERSHEY
HONORABLE LEE JAMES
HONORABLE JOHN LAWRENCE
HONORABLE ZACH MAKO
HONORABLE NATALIE MIHALEK
HONORABLE TIM O'NEAL
HONORABLE CLINT OWLETT
HONORABLE CHRIS QUINN
HONORABLE GREG ROTHMAN
HONORABLE LOUIS SCHMITT
HONORABLE MEGHAN SCHROEDER
HONORABLE JAMES STRUZZI
HONORABLE JESSE TOPPER
HONORABLE RYAN WARNER
HONORABLE JEFF WHEELAND
HONORABLE DAVE ZIMMERMAN

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BEFORE (cont.'d) :

- HONORABLE AMEN BROWN
- HONORABLE DONNA BULLOCK
- HONORABLE MORGAN CEPHAS
- HONORABLE AUSTIN DAVIS
- HONORABLE ELIZABETH FIEDLER
- HONORABLE MANUEL GUZMAN
- HONORABLE PATTY KIM
- HONORABLE EMILY KINKEAD
- HONORABLE STEPHEN KINSEY
- HONORABLE LEANNE KRUEGER
- HONORABLE KYLE MULLINS
- HONORABLE BENJAMIN SANCHEZ
- HONORABLE PETER SCHWEYER
- HONORABLE JOE WEBSTER

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ALSO IN ATTENDANCE:

**DAVID DONLEY, REPUBLICAN EXECUTIVE DIRECTOR
RITCHIE LaFAVER, REPUBLICAN EXECUTIVE DIRECTOR
ANNE BALOGA, DEMOCRATIC EXECUTIVE DIRECTOR
TARA TREES, DEMOCRATIC CHIEF COUNSEL
HONORABLE MIKE PEIFER
HONORABLE KEVIN BOYLE
HONORABLE GARY DAY
HONORABLE CRAIG STAATS
HONORABLE NAPOLEON NELSON
HONORABLE DARISHA PARKER
HONORABLE STEVE SAMUELSON**

**JEAN M. DAVIS, REPORTER
NOTARY PUBLIC**

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1 P R O C E E D I N G S

2 * * *

3 MAJORITY CHAIRMAN SAYLOR: I'll call the
4 Appropriations Hearing to order.

5 I want to welcome Secretary Robert Torres; Steven
6 Horner, Deputy Secretary, and Representative -- or, yeah,
7 Representative Tom Snedden -- Tom Snedden, who is the
8 Director of Bureau of Pharmaceutical Assistance.

9 So we just promoted you or demoted you, whichever
10 you want, Tom.

11 DIRECTOR SNEDDEN: Okay.

12 MAJORITY CHAIRMAN SAYLOR: But anyhow if you
13 three would stand and be sworn in.

14
15 (Witnesses sworn en masse.)

16 MAJORITY CHAIRMAN SAYLOR: Very good.

17 Thank you, gentlemen.

18 Our first questioner today is Representative
19 Torren Ecker.

20 REPRESENTATIVE ECKER: Thank you, Mr. Chairman.

21 And thank you, Secretary, for being here.

22 SECRETARY TORRES: Thank you.

23 REPRESENTATIVE ECKER: So I'm going to kick off
24 things with the last time we saw each other dealing with
25 something that came up in the PBB hearing dealing with the

1 reports of -- dealing with some of the reports of need that
2 were substantiated versus unsubstantiated.

3 And the last time we talked I asked you
4 specifically about the graphic. And just for example, for
5 those that aren't familiar, where in -- let me find it here.
6 Sorry. Bear with me.

7 To refresh your memory, Lancaster, for example,
8 had a 61 percent or 61 percent of reports were found to be
9 substantiated while Luzerne and Wyoming were only 8 percent
10 substantiated. And that's a pretty big discrepancy. And
11 we're trying to figure out why that is.

12 And I believe your response was -- well, let's
13 just elaborate on that. So you kind of talked high-level
14 about, you know, what the Department does. But can you --
15 can we get into the weeds a little bit more and maybe, you
16 know, speculate or hypothesize as to why there is such a
17 discrepancy between the Lancaster reports and the
18 Luzerne/Wyoming reports?

19 SECRETARY TORRES: As far as the unsubstantiated
20 versus substantiated?

21 REPRESENTATIVE ECKER: Yes, sir.

22 SECRETARY TORRES: Again, I believe I -- you
23 know, each -- so a report of need is a report that's made
24 when there's suspected cases of elder abuse. There is an
25 in-take process which requires a staff member to take

1 information and based on that information and subsequent
2 investigation, they determine whether there's enough
3 evidence to move forward with a substantiated case of elder
4 abuse or unsubstantiated. Perhaps there's a need for some
5 support in terms of support of services, a care plan that
6 may be needed.

7 The degree of substantiation may vary. It could
8 be a matter of the types of cases that one service area is
9 seeing versus another, perhaps volume.

10 REPRESENTATIVE ECKER: So are those -- and how
11 the different AAAs take in these cases, is that set by the
12 Department? Does each AAA do its own thing? You know, can
13 you allude -- do you have any comments on that?

14 SECRETARY TORRES: How do they take in the cases?

15 REPRESENTATIVE ECKER: Well, my guess -- my ask
16 -- I guess what I'm asking is, does the Department
17 promulgate some type of procedure in which they take
18 physical -- I mean, that's a huge discrepancy. I mean, 61
19 percent to 8 percent, you know, I mean, yeah, we can talk
20 about how, you know, everything is individually, you know --
21 it's a case-by-case situation. But those statistics are
22 pretty starkly different.

23 So does the Department put out, you know,
24 procedures on how to handle these reports?

25 SECRETARY TORRES: Well, there's specific

1 regulations that we follow. So the answer is, yes. There's
2 regulations that are prescribed on how cases are supposed to
3 be handled. Cases to the individual AAAs could be made
4 directly to the AAA. We have a 24/7 hotline that takes
5 calls and then routes it to the appropriate AAA where the
6 allegation is being made, where the older adult is
7 physically located. So that AAA would receive it.

8 REPRESENTATIVE ECKER: And just to kind of go
9 even more on a regional standpoint, so if you look at -- I
10 realize you might not have this report in front of you. But
11 if you look at Luzerne and Wyoming where there's only 8
12 percent of reports that are substantiated and then compared
13 to Lackawanna, which isn't too terribly far away, 50 percent
14 are substantiated. So that's a pretty regional area but
15 they're still pretty vastly different.

16 Can you shed some light as to why that may be?

17 SECRETARY TORRES: Not without getting into
18 specific data. But, again, there may be some regional
19 differences. You know, we're dealing with cases in
20 Philadelphia. And again, there's an enormous amount of
21 volume there. I think some of the variations could be
22 explained. But without getting into more detail, it would
23 be difficult for me right now to answer.

24 REPRESENTATIVE ECKER: Sure. Sure. And it looks
25 like -- I mean, you know, Philadelphia is kind of towards

1 the bottom of substantiated -- unsubstantiated -- I'm sorry
2 -- on the list. However, you know, Luzerne and -- you got
3 some pretty rural communities down there as well. I would
4 say, you know, it's not just a city urban center. It's
5 suburban, you know, rural and also, you know, suburban
6 areas. That doesn't seem to be the correlation either.

7 I would encourage the Department -- I see my time
8 is running out. But I would encourage the Department to
9 take a closer look at that because I really think that, you
10 know, those discrepancies, you know, when we're talking
11 about reports of abuse, obviously it's something we should
12 take pretty seriously. And those discrepancies --
13 obviously, I think there's something else maybe there that
14 maybe the Department should look a little closer at.

15 SECRETARY TORRES: One of the things that I'd
16 like to share with you is we have been sharing more reports
17 over the last three years than the Department ever has with
18 individual AAAs and the AAAs as a network.

19 So I understand the concerns that you're raising
20 but we are looking at it, you know, as opposed to just
21 individual, by individual AAAs. We're looking at the whole
22 network trying to figure out where we have variation.

23 We did it with the no-need reports. We started
24 monitoring for the last -- we've been monitoring for the
25 last three years. And as a result of the level of

1 monitoring that we're doing, we're seeing more consistency
2 across the network. So I'll certainly take your concern
3 back and address it with the team.

4 REPRESENTATIVE ECKER: Well, I appreciate your
5 response, Mr. Secretary. And protecting our elders is
6 definitely -- and our seniors -- is something that we need
7 to take seriously, especially when we're talking about
8 reports of negligence.

9 Thank you.

10 SECRETARY TORRES: Thank you.

11 MAJORITY CHAIRMAN SAYLOR: The next questioner is
12 Representative Patty Kim.

13 REPRESENTATIVE KIM: Thank you, Mr. Chairman.
14 Good afternoon.

15 SECRETARY TORRES: Good afternoon,
16 Representative.

17 REPRESENTATIVE KIM: So we just spoke with the
18 IFO and we were listening to trends. And I think it's
19 really important to see or point out trends, especially from
20 your vantage point. And as you know, the pandemic shed a
21 light on some of the cracks in our system or social problems
22 in our communities.

23 This is an open-ended question for you,
24 Secretary, or whoever would like to answer this. What are
25 some of the things that you learned from the pandemic? For

1 example, we learned how important it is for our older
2 Pennsylvanians when it comes to isolation or loneliness or
3 socialization, the need for food, security, whatever you
4 want to talk about. What did you see? What can we learn
5 from you hopefully post-pandemic?

6 SECRETARY TORRES: Well, at the start of the
7 pandemic, I can tell you our immediate concern was making
8 sure that older adults did not lose their ability to get
9 their meals with the lockdowns that occurred. Social
10 isolation became a huge concern of ours, which we have done
11 some work that I'm proud of. The restrictions in long-term
12 care settings, again, from the viewpoint of our long-term
13 care ombudsman who could not get into long-term care
14 settings to meet one-on-one with residents was a concern.

15 So we came up with technology to help engage with
16 older adults. We purchased a few iPads on a small robot
17 that you control with a Smartphone. It allowed us to get
18 into a long-term care resident's room and have private
19 conversations with them. So that was one innovation that we
20 did.

21 We partnered with AARP who gave us some grant
22 funding and we were able to purchase cell phones and tablets
23 because, again, during the height of the pandemic there was
24 not a lot of resources at some of these long-term care
25 settings.

1 One of the things that we're doing now is working
2 on procuring an application that would give us an option to
3 have in-person engagement with long-term care residents. So
4 that's one lesson learned, have options in case, for any
5 reason, a long-term care setting restricts visits.

6 In terms of social isolation, the Pennsylvania
7 Council on Aging put out a guide to help older adults who
8 are alone. It's called SOLO, Strengthening Older Lives
9 Online. So it's an online guide and something the
10 Pennsylvania Council on Aging was already looking at, social
11 isolation, as a priority before the pandemic so it really
12 stepped up our efforts.

13 In terms of social isolation, we've engaged now
14 with five universities and created what's called the
15 Intergenerational University Connections Program. So
16 through that program and students both undergrad and
17 graduate students who are taking courses in the social
18 sciences, public health, respiratory recreational therapy,
19 we're assigning them older adults through the Area Agencies
20 on Aging and we've engaged over 500 students and older
21 adults in the last year and a half. We have five schools.
22 Penn State's granting was the latest. In fact, I was on a
23 class this morning with the newest class that joined that
24 program. Everybody is really excited about it.

25 You know, we've also seen health disparities. So

1 again, the issue of health disparities has been big in
2 making sure that we're being effective in our outreach to
3 diverse communities and being responsive to their needs at
4 the local level.

5 So I feel really good about the mobilization that
6 we did from the beginning of the pandemic to try and reach
7 diverse communities. The PACE call center did an amazing
8 job of stepping up when the vaccinations became available in
9 early '21. Again, those are some of the lessons learned.

10 Tom, do you want to add anything?

11 DIRECTOR SNEDDEN: Yeah. We handled 120,000
12 calls through the COVID call center and arranged for about
13 30 vaccinations -- 30,000 vaccinations of people that we
14 know got the vaccine. I'm sure others had appointments
15 scheduled that probably got them. We just never got
16 confirmation.

17 REPRESENTATIVE KIM: I see.

18 SECRETARY TORRES: In terms of me, I would just
19 add that we need to, moving forward, be very flexible. When
20 senior centers closed down, we had to go to home-delivered
21 meals or offer grab-and-go. And those types of
22 flexibilities are now desired because they make sense and
23 it's something that we want to be able to meet the older
24 adults, meet their needs as best we can.

25 REPRESENTATIVE KIM: Thank you.

1 It looks like I'm almost out of time. But I just
2 wanted to thank you for your comprehensive answers. Some of
3 those programs really excite me, like the social interaction
4 with the seniors. So good work and thank you.

5 SECRETARY TORRES: Thank you, Representative.

6 MAJORITY CHAIRMAN SAYLOR: Our next questioner is
7 Representative Meghan Schroeder.

8 REPRESENTATIVE SCHROEDER: Thank you, Chairman.

9 Good afternoon, Secretary. Thank you for being
10 here today.

11 SECRETARY TORRES: Good afternoon.

12 REPRESENTATIVE SCHROEDER: My question for you
13 has to do with ARPA. So the Federal American Rescue Plan
14 provided Pennsylvania AAAs with more than 55 million in
15 one-time funding. What programs and services can this
16 funding be used for?

17 SECRETARY TORRES: We received 59 million. That
18 Federal money is available through September of 2024. And
19 basically that money could be used to provide older
20 Americans services, so that would be food. More than half
21 the money -- talking about meals, more than half the money
22 is required to go to home-delivered meals, congregate meals.
23 A lot of the Federal money that we receive focuses on
24 nutrition.

25 We also have supported services. We have

1 caregiver support services and aging services.

2 REPRESENTATIVE SCHROEDER: Okay. Great.

3 I will ask you another question dealing with the
4 ARPA money. You said although this funding is a one-time
5 use, is it available to be spent over several fiscal years
6 through September of 2024?

7 SECRETARY TORRES: Yes.

8 REPRESENTATIVE SCHROEDER: Okay.

9 SECRETARY TORRES: As a matter of fact, we
10 requested all of the Area Agencies on Aging to let us know
11 how they wanted the money allocated. So some may have
12 chosen to, you know, request one-third of the money,
13 one-third, one-third. Maybe they had some upfront needs so
14 we were very flexible with the Area Agencies on Aging and on
15 the distribution of the funding for them.

16 REPRESENTATIVE SCHROEDER: Okay. And so, you
17 know, is there a certain priority that you have been seeing
18 that they want to use the money for? It sounds like food
19 was your first answer so maybe that is the answer. But do
20 you see a certain need specifically that they're using it?
21 Is it regionally different across the state?

22 SECRETARY TORRES: It's really up to the
23 individual AAA to determine at the local level what their
24 needs are. But again, like 54 percent of the money was
25 designated for congregate meals and home-delivered meals.

1 And then you have preventive health, so health and wellness
2 services. Family caregiver was another piece of that and
3 then supportive services.

4 REPRESENTATIVE SCHROEDER: And it's been
5 communicated to them that this is like one-time money,
6 right, and everybody knows and understands that?

7 SECRETARY TORRES: One-time money through
8 September of 2024 unless the Federal Government decides to
9 grant an extension at that time depending on what's going
10 on.

11 REPRESENTATIVE SCHROEDER: Okay. Great.

12 And I was asking the question regionally if there
13 was any kind of trend you're seeing that the need is
14 different, different parts of the state or, you know, those
15 conversations, what's kind of been laid out to you and what
16 you're seeing and their future projections for planning. I
17 think planning mostly is the most important thing right here
18 trying to decide budgets and things.

19 SECRETARY TORRES: I think the needs are fairly
20 consistent across Pennsylvania. There may be some
21 differences, but one of the things that I can bring to your
22 attention is the issue of direct care workers. So some of
23 the services that the Area Agencies on Aging typically
24 provide, they're really struggling because of the lack of
25 direct care workers out there. That's a real struggle.

1 And even the Area Agencies on Aging themselves
2 have been challenged staffwise.

3 REPRESENTATIVE SCHROEDER: Oh, I'm sure.

4 Well, thank you so much. That's all my
5 questions.

6 Thank you, Chairman.

7 MAJORITY CHAIRMAN SAYLOR: The Chair thanks the
8 lady and recognizes the gentleman from Philadelphia,
9 Mr. Kinsey.

10 REPRESENTATIVE KINSEY: Thank you, Mr. Chairman.

11 And thank you, Secretary and your staff, for
12 being here this afternoon.

13 Mr. Secretary, my question is related to seniors
14 who receive services at home. We're seeing more and more
15 that seniors are preparing to age in place. And given the
16 potential savings to the Commonwealth providing supports in
17 home to our seniors as opposed to seniors going to nursing
18 care facilities, can you explain why the Administration
19 chose not to include an initiative to reduce the options
20 waiting list?

21 SECRETARY TORRES: Well, at this time, again,
22 with the infusion of Federal dollars that we have, the Area
23 Agencies on Aging have sufficient funding to address some of
24 these needs.

25 Our list, the options waiting list, has

1 decreased. But just to give you an example of what I just
2 finished saying in terms of the direct care worker, the
3 amount of individuals waiting because a provider is not
4 available has increased.

5 Last year there was about 814 individuals that
6 were waiting as a result of a provider not being available.
7 This year it's up to 1,675, so more than double the list has
8 grown. It's reduced the other waiting because of funding of
9 services. But again, direct care workers seems to be the
10 biggest challenge right now in terms of providing.

11 Now, with the options services, care management,
12 which is assessing the needs of older adults, that's always
13 a given. If there's an older adult that needs food, that's
14 always a top priority. So we have individuals that are
15 receiving those services but are waiting, again, for a
16 provider or some other services to be made available.

17 REPRESENTATIVE KINSEY: Right. Well, thank you
18 for that.

19 You also just mentioned about I think the influx
20 of Federal dollars. But in your opinion, how much would it
21 cost if we were to eliminate the waiting list in and of
22 itself?

23 SECRETARY TORRES: Well, I guess two budgets ago
24 we were requesting about 8 million to tackle that list.
25 It's a difficult -- but I don't think that would have

1 addressed the list itself because once -- I don't believe
2 that list will ever be eliminated because once you provide
3 all the services again -- right now we're at 25 percent of
4 our population, 3.4 million over the age of 60. And that's
5 just going to continue to grow. So as people continue to
6 age, those needs are, you know, going to increase as well.

7 REPRESENTATIVE KINSEY: So as we talk about the
8 needs increasing -- and, again, I recognize that
9 Pennsylvania has an older population and that's continual.
10 In your opinion, cost savings for folks who are receiving
11 supports in home versus folks who are going to nursing care
12 facilities, are we seeing basically -- and again, I'm not
13 talking about the influx of Federal dollars. But are we
14 getting a sense maybe it might be pre-pandemic or something
15 of that nature, but is there a sense that by folks being at
16 home that we actually are saving taxpayer dollars here
17 because we are spending -- and I don't want to say we're
18 spending less, but I believe that there is less expense for
19 folks to be at home versus being in a nursing facility.

20 SECRETARY TORRES: Yes. There's no question if
21 you have someone at a skilled nursing facility, that's going
22 to be a very expensive option. So doing what we can to
23 provide home- and community-based services that will keep
24 them safe and healthy in their home, it's a lower-cost
25 option if you're looking at finances.

1 Our Department, we oversee what are called
2 domiciliary care homes. And those are homes that have less
3 than three beds and they're in the community. And that's
4 one way that we try to support older adults.

5 The problem is those homes have been decreasing
6 as well as personal care homes. So the Governor proposed a
7 \$50 million personal care home supplement. And that's a
8 proposal that I believe is important because, again, we've
9 been seeing personal care homes close since 2015.

10 We've had 408 close. And that's the equivalent
11 of about, I believe, 1,700 beds that are not available for
12 older adults. So that's an issue that, you know, we need to
13 work on in terms of making sure that we have some viable
14 options for older adults so that we can keep them out of
15 skilled nursing facilities that are going to be much more
16 expensive options in the long run.

17 REPRESENTATIVE KINSEY: I appreciate that answer.

18 Let me just go back. I just want to be clear
19 with what I just thought I heard you say.

20 SECRETARY TORRES: Of course.

21 REPRESENTATIVE KINSEY: I know you mentioned
22 roughly 1,700 beds. But how many personal care homes are we
23 seeing close? Did you say 500-plus?

24 SECRETARY TORRES: 410 since 2015.

25 REPRESENTATIVE KINSEY: 410. Great.

1 Listen, I appreciate you being here. You know,
2 we all heard what the Governor shared with us, his proposed
3 budget. I do have to say this. I represent the city of
4 Philadelphia. And in my district, there are personal care
5 homes. I'd like to think -- in fact, I know for a fact.
6 It's not about me thinking. But I know for a fact that
7 these personal care homes have provided supports to
8 individuals who would otherwise be in another facility
9 costing us much more money. So I'm glad to see that the
10 Governor did propose to increase the cost for those
11 providers of personal care homes.

12 Thank you very much, Mr. Secretary.

13 SECRETARY TORRES: Thank you, Representative.

14 REPRESENTATIVE KINSEY: Thank you, Mr. Chairman.

15 REPRESENTATIVE TOPPER: The Chair thanks the
16 gentleman and recognizes the gentleman from Venango,
17 Mr. James.

18 REPRESENTATIVE JAMES: Thank you, Mr. Acting
19 Chairman.

20 Secretary Torres, members, thank you all for
21 being here. I'd like to begin actually and focus on a few
22 questions on your workforce.

23 So let me begin by asking approximately what
24 percentage of your workers are working from home now versus
25 back in the office where they were two years ago,

1 approximately?

2 SECRETARY TORRES: Do you have that, Steve?

3 REPRESENTATIVE JAMES: Well, while you're looking
4 for that I'm going to read a quote from the Governor's
5 address here. That will give you two things to think about
6 simultaneously.

7 In his budget address, the Governor said -- and I
8 quote -- the Administration has implemented a tele-work
9 policy that has increased productivity, unquote.

10 So the two-part question would be -- once we come
11 up with that number of folks that are out in their homes,
12 the two-part question would be, were you approached? Were
13 you asked by the Administration for any guidance on this
14 particular topic? And, if not, would you provide guidance
15 today if you were asked?

16 SECRETARY TORRES: Yes. We discussed tele-work
17 policies at our Cabinet meeting. So that was something
18 that, you know, there were discussions.

19 In answer to your question, I have 31 individuals
20 that are working full time and probably another -- I don't
21 have the exact number, but maybe another third of our
22 workforce that work part time. So they're coming in two,
23 three days a week. And then the rest come in all the time.

24 REPRESENTATIVE JAMES: Okay. So a third in the
25 office all the time, a third not in the office, and the

1 other third divided. Okay.

2 SECRETARY TORRES: You know, our input was in
3 terms of what we were experiencing with telework, you know,
4 what concerns we had. So we were able to weigh in.

5 REPRESENTATIVE JAMES: Okay. Well, the new
6 normal is kind of an evolving thing. I'm not sure where
7 we're going to end up on the other side of the COVID thing.

8 Has your Department made a study of those folks
9 who are working from their home about whether or not they
10 have increased productivity? Do you believe they have?

11 SECRETARY TORRES: I believe we've accomplished
12 quite a bit over the last two years working. You know, when
13 the pandemic hit, I think -- I'm speaking for my Department
14 obviously, but it accelerated a lot of our work because we
15 were dealing with older adults and so many of the issues
16 that the pandemic brought on that we had to respond to.

17 My practice is I meet with my senior team
18 Mondays, Wednesdays, and then Fridays I have a meeting with
19 the whole management team. We go around and make sure that
20 work that is, you know, scheduled to be done is being done.
21 If anybody is having issues, we ask what needs to be done to
22 address the issues.

23 That's how we stayed connected before we came
24 back into the office. And we've continued that practice.
25 So we're pretty -- you know, in my case, we have a four-year

1 state plan on aging. There's specific projects,
2 deliverables aside from the routine things that we have to
3 do as a department. And as a management team, we stay very
4 well connected and monitor what's being accomplished.

5 REPRESENTATIVE JAMES: Okay. I guess a final
6 comment then, not really a question. If I am employed by
7 your Department, am I asked to fulfill a quota? That became
8 a question. I'm sorry. Am I asked to fulfill a quota and
9 report to my superior regularly on my successes? And would
10 I be asked to provide any input in terms of whether or not
11 my clients, working for you, my clients, like the service
12 from home?

13 SECRETARY TORRES: I'm not sure about the quota.
14 But again, it's up to every manager and supervisor to set
15 expectations with their employees. Every employee who is
16 teleworking had to sign a tele-work agreement. That was
17 part of the new procedures that were put in place so that
18 everybody was clear what the expectations were going into
19 this new arrangement.

20 From where I sit, I believe that is taking place.
21 And again, I gauge it based on the amount of work and the
22 outcomes that I'm seeing in terms of the projects and the
23 initiatives that we're working on.

24 REPRESENTATIVE JAMES: Okay.

25 Thank you, Mr. Secretary.

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SECRETARY TORRES: Sure.

REPRESENTATIVE JAMES: Thank you, Mr. Chairman.

REPRESENTATIVE TOPPER: The Chair thanks the gentleman and recognizes the gentleman from Philadelphia, Mr. Brown.

REPRESENTATIVE BROWN: Thank you, Mr. Chairman. Good afternoon.

SECRETARY TORRES: Good afternoon.

REPRESENTATIVE BROWN: Good to see you in person. It's been a while.

SECRETARY TORRES: Good to see you.

REPRESENTATIVE BROWN: I have a question in reference to food insecurities. The Americans Health Ranking 2020 report found that 15 percent of Pennsylvania seniors faced the threat of hunger in the past 12 months. That's over 300,000 seniors without reliable access to food. Food insecurity among older adults is expected to increase through 2050 as the baby boomer generation continues to age. The older adults report missing meals due to functional limitations, lack of transportation, or having to chose between food and other necessities because they can't afford both. What is your Department doing to address senior food insecurities in Pennsylvania?

SECRETARY TORRES: Well, as I stated earlier, Representative, we've adopted our practices especially when

1 senior community centers close because so many seniors
2 congregate there for meals and that was not available,
3 although they have reopened. They have never -- at least at
4 last count, maybe between 80, 85 percent of the senior
5 community centers in Pennsylvania reopened. So we adopted
6 our practices getting away from congregate meals and
7 offering home-delivered meals, grab-and-go meals. And those
8 are options that I believe are going to continue.

9 During the pandemic, during the height of the
10 pandemic, we had a Feeding Task Force so the Department of
11 Aging was always at the table at those task force meetings.

12 And last summer, the Department of Agriculture
13 had a Commodity Supplemental Food Program that not too many
14 people understood what that was about. They rebranded and
15 we partnered with them. Actually, Director Snedden and the
16 PACE program partnered with them. And we have been doing
17 outreach specifically to PACE enrollees. And as of last
18 week, the Director informed me that we have registered over
19 10,000 new enrollees in that program. So these are seniors
20 that are now going to get monthly boxes of food to support
21 their nutritional needs.

22 REPRESENTATIVE BROWN: Okay. Thank you.

23 So the same report found that prevalence of food
24 insecurity among older adults is higher in older adults
25 living near or below poverty level than those living above

1 the poverty level, two, non-Hispanic and non-Hispanic black
2 and Hispanic older adults who have a prevalence more than
3 two times higher than white and non-Hispanic older adults,
4 and, three, older adults who rent compared to those who own
5 their homes.

6 All three of these qualifiers can describe much
7 of my district in West Philadelphia. And they are very
8 important to me. So what is your Department doing to
9 specifically address these more highly affected areas?

10 SECRETARY TORRES: Well, part of what we're doing
11 is making sure that communities in areas that perhaps we
12 haven't been as effective in our outreach that we're being
13 more targeted in our outreach, letting communities working
14 with legislative representatives to make our services be
15 known so that they can take advantage.

16 Again, part of the reason that the Department of
17 Agriculture rebranded was to make it simpler. Now it's
18 called the Senior Food Box Program. That's what it always
19 was, but it wasn't recognized as such. So these types of
20 changes. And we made similar changes within our Department,
21 for example, the service that we provide for Medicare
22 insurance counseling. And part of that effort was to
23 rebrand it and to make it a program that people understood
24 what it was about and that we did more on our end to get
25 into diverse communities and make sure they understand

1 what's available and how they can apply and take advantage
2 of some of the programs we offer.

3 REPRESENTATIVE BROWN: All right. Thank you.

4 I look forward to continuing to work with you in
5 the future.

6 SECRETARY TORRES: Likewise, Representative.

7 REPRESENTATIVE BROWN: Thank you.

8 SECRETARY TORRES: Thank you.

9 MAJORITY CHAIRMAN SAYLOR: Our next questioner is
10 Representative Culver.

11 REPRESENTATIVE SCHLEGEL-CULVER: Good afternoon,
12 Secretary Torres.

13 SECRETARY TORRES: Good afternoon.

14 REPRESENTATIVE SCHLEGEL-CULVER: Thank you for
15 being here.

16 SECRETARY TORRES: Sure.

17 REPRESENTATIVE SCHLEGEL-CULVER: I want to talk
18 about our senior community centers and more specifically
19 their grants.

20 SECRETARY TORRES: Okay.

21 REPRESENTATIVE SCHLEGEL-CULVER: I'm sure you
22 already know this. But in our role as state legislators, we
23 often get invited into our senior centers to, you know, do
24 programs, to give them an update on what's going on in our
25 area, or sometimes they have a concern and they want us to

1 come and listen to their concerns.

2 The last two years is no surprise. They have
3 really, really -- I think COVID has taken a toll on both our
4 seniors' health and them being able to go to the senior
5 centers. So we're trying to get back to normal at all these
6 senior centers. The centers, you know, obviously give them
7 nourishment, socialization, activities to do, and other
8 needed services that they require.

9 So the Department of Aging's budget includes \$2
10 million for grants to our senior centers. And these grants
11 traditionally are a competitive process. And, you know,
12 whenever any of our senior centers received a grant, they
13 would bring us in and show us, you know, what they earned
14 and what they got and how it's making the senior center a
15 better place to be. They're always very proud of that.

16 But for the past two years, the Department has
17 awarded the grants to all the centers in order to address
18 any negative impacts financially due to the pandemic. So
19 the full-time centers, if I understand it right, each
20 received about \$4,500 and the satellite centers about
21 \$1,000.

22 So how has -- well, do you know and can you tell
23 me how the senior centers have used this funding over the
24 past two years?

25 SECRETARY TORRES: I don't believe I have

1 specific information. But part of what we did was when --
2 so you're right. What used to be two years ago a
3 competitive process at the height of COVID when all the
4 centers were closed, the staff recommended and I supported
5 offering all senior centers a piece of the \$2 million so
6 that they can support their administrative expenses.

7 Typically senior community centers have to do
8 fundraising. Obviously they were closed and everybody was
9 locked down so they were unable to do that.

10 So we thought even though it wasn't a large
11 amount of money, that if we can equitably give that money
12 out, be very flexible in terms of what they could use it
13 for, they could use it for programming, maybe if they had
14 some light capital repairs that they needed to do or just to
15 pay rent for their building or other administrative
16 expenses.

17 REPRESENTATIVE SCHLEGEL-CULVER: So did the
18 funding go out with a set of guidelines to it?

19 SECRETARY TORRES: It went out with a set of
20 guidelines. And it also went out with a reporting, a simple
21 reporting, because when these types of questions come up, I
22 want to be able to say --

23 REPRESENTATIVE SCHLEGEL-CULVER: Right. So they
24 are reporting to you how they're spending it?

25 SECRETARY TORRES: Correct.

1 REPRESENTATIVE SCHLEGEL-CULVER: Okay. And is
2 that something we have or will we receive?

3 SECRETARY TORRES: Steve.

4 DEPUTY SECRETARY HORNER: Yes. They report. We
5 wanted to provide maximum flexibility but accountability.
6 It does allow --

7 REPRESENTATIVE SCHLEGEL-CULVER: Could you get a
8 little closer to the mike, please?

9 DEPUTY SECRETARY HORNER: Sure. It does allow
10 senior centers the ability to spend maybe in areas that they
11 weren't able to with the regular grant. But as soon as
12 COVID -- we'd like to go back to the more competitive grants
13 because we know there are bigger projects that senior
14 centers are looking to do. But in the interim, we would
15 like to be able to make sure that the minimum needs are met.

16 Like the Secretary said, a lot of the centers
17 were closed but they still had expenses. So full centers
18 versus satellite centers, there are needs and we wanted to
19 make sure those needs were met.

20 In addition, this was an opportunity that all the
21 senior centers receive funding. Since it's competitive,
22 some senior centers have not received dollars. So we wanted
23 equity and this is an opportunity so we wanted to be able to
24 make sure our senior centers were funded and then in the
25 future they will be more competitive towards the bigger

1 projects.

2 REPRESENTATIVE SCHLEGEL-CULVER: So the second
3 part of my question would be, historically I knew if one of
4 my senior centers was awarded the grant how they spent it.
5 I'd be interested to know the difference between how they
6 were previously spending the money and how they spent it
7 these last two years when they were automatically all given
8 that money.

9 And then my last question would be, are we going
10 to continue giving the money to all centers and divvying it
11 up based upon, you know, the full-time affiliated one and
12 the satellite or will you be returning back to the
13 competitive process?

14 SECRETARY TORRES: Our intention is to go back to
15 the competitive process because we realize that there are
16 some capital projects. So in answer to your question, when
17 it was competitive, we had larger projects coming in.

18 REPRESENTATIVE SCHLEGEL-CULVER: Right.

19 SECRETARY TORRES: We had up to 100,000. Maybe
20 it was a roof, maybe it was paving to make sure that the
21 sidewalks or the parking lot was not cracked and putting a
22 senior at risk. Our intention was to go back. The reason
23 we decided to do it again this year is just because of where
24 we were at.

25 REPRESENTATIVE SCHLEGEL-CULVER: So you think you

1 will go back to the competitive process?

2 SECRETARY TORRES: Yes.

3 REPRESENTATIVE SCHLEGEL-CULVER: Next budget
4 year?

5 SECRETARY TORRES: The next cycle.

6 REPRESENTATIVE SCHLEGEL-CULVER: Okay.

7 SECRETARY TORRES: Again, we had intended to do
8 it this cycle but we kind of looked at where things were at
9 with the pandemic and decided to do it one more year.

10 REPRESENTATIVE SCHLEGEL-CULVER: And the money
11 that was given out over these last two years, did they have
12 to spend it within that fiscal year or can they carry it
13 over and hang on to that money for a larger project?

14 SECRETARY TORRES: There is a time limit. We
15 gave some extra time.

16 REPRESENTATIVE SCHLEGEL-CULVER: Okay. Thank you
17 very much.

18 SECRETARY TORRES: You're welcome. Thank you.

19 REPRESENTATIVE SCHLEGEL-CULVER: Thank you, Mr.
20 Chairman.

21 MAJORITY CHAIRMAN SAYLOR: Our next questioner is
22 Representative Kinhead.

23 REPRESENTATIVE KINKEAD: Thank you, Mr. Chairman.

24 My apology. I didn't realize I was next.

25 I wanted to talk and switch gears a little bit.

1 I've been working on legislation with Representative Kinsey
2 about compassionate release and prison reform. One of the
3 things that the Department of Corrections has highlighted as
4 to why it is that currently they are not able to release as
5 many folks who would otherwise qualify for compassionate
6 release under our current system is because they don't have
7 -- they can't identify a place for these folks to go.

8 I'm wondering if you can speak to how you guys
9 could improve that process or help that process because a
10 lot of these folks would need to go to nursing homes. And
11 that's probably more Human Services or Department of Health.
12 There is an aspect of these folks being released to family
13 members and the need to provide in-home care.

14 SECRETARY TORRES: Yes. Well, we have done some
15 work with the Department of Corrections, specifically
16 Director Snedden here has worked with them looking to place
17 individuals who are in need.

18 The Governor has proposed an option to support
19 older individuals who are incarcerated that need that kind
20 of support. So it's something that I believe the General
21 Assembly should consider in this budget proposal because the
22 need is there. Again, our incarcerated individuals are
23 aging as well. And those needs are within the system and
24 have to be addressed.

25 DIRECTOR SNEDDEN: For the PACE clearinghouse, we

1 have been working with the Department of Corrections and the
2 Probation and Parole Board for the better part of a decade.
3 We've done a great job of placing people in the community
4 and keeping them from recidivating by ensuring that they had
5 proper health care coverage, that they had shelter, that
6 they had jobs, and they had transportation. The rate of
7 recidivism among the people we've helped is 3 percent.

8 REPRESENTATIVE KINKEAD: What do you think is the
9 greatest need that you guys have in terms of being able to
10 place more of these folks, to be able to help more of these
11 folks out?

12 DIRECTOR SNEDDEN: More resources really. It's
13 hard finding shelter, especially for people in the community
14 particularly if people have a record of violence or arson.
15 It's really, really hard to place those people particularly
16 if they're not capable of living alone in a community.

17 The Governor's budget this year has recommended
18 allocating \$7 million to set up a health care facility to
19 take care of what we call the hard to place group. In
20 answer to your question, we just need some more resources.

21 REPRESENTATIVE KINKEAD: Thank you.

22 DEPUTY SECRETARY HORNER: I'd just like to add
23 it's the facilities, the facilities to take them. So if we
24 would have a facility that would be able to take the rates
25 that are accepted to be able to provide that care is more of

1 having the placement. And that's the challenge. You know,
2 across the state we have challenges finding placement. We
3 need a facility that would be able to take these individuals
4 because a lot of times Area Agencies on Aging are notified
5 last minute and they need to be able to find placement and
6 it's very difficult.

7 REPRESENTATIVE KINKEAD: Sorry. As a quick
8 followup to that, do you think that more coordination with
9 the Department of Corrections would also be helpful in terms
10 of, you know, being able to have greater notice for the need
11 to place these individuals?

12 DEPUTY SECRETARY HORNER: Yes.

13 SECRETARY TORRES: Yes.

14 DIRECTOR SNEDDEN: Yes.

15 SECRETARY TORRES: Definitely.

16 DEPUTY SECRETARY HORNER: We coordinate. The
17 Department of Human Services Office of Long-Term Living,
18 Department of Aging and Corrections do work together. But
19 it's challenging to navigate through that process. A lot of
20 times it's just the timeliness. It's short notice in
21 finding placement for, you know, a nursing facility. It's
22 very challenging, especially if you have someone with, you
23 know, a criminal history background. It's very hard to
24 place them in a short time frame.

25 REPRESENTATIVE KINKEAD: Thank you.

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Thank you, Mr. Chairman.

SECRETARY TORRES: Thank you.

MAJORITY CHAIRMAN SAYLOR: Our next questioner is Representative Owlett.

REPRESENTATIVE OWLETT: Thank you, Mr. Chairman. And thank you, Secretary, for being here.

SECRETARY TORRES: Thank you.

REPRESENTATIVE OWLETT: In August 2021, Governor Wolf announced that state employees would be eligible for an additional day of paid time off if they were vaccinated against COVID-19. On November 1st, 2021, the Governor announced an additional five days of leave or a lump sum payment of cash, the equivalent, for employees that were vaccinated by December 31st, 2021.

My question for you is, in your Department, what was the total cost of that for your employees?

SECRETARY TORRES: I do not have that figure available.

REPRESENTATIVE OWLETT: Do you know how many folks took advantage of it?

SECRETARY TORRES: Not offhand, no.

REPRESENTATIVE OWLETT: Would you be able to get that to the Committee?

SECRETARY TORRES: Yes.

REPRESENTATIVE OWLETT: Okay. We would like to

1 have that information. I think it's available. Do you know
2 where the money came from? I mean, you may not know how
3 many or who, but how much -- or where would that money have
4 come from out of your budget?

5 SECRETARY TORRES: The General Fund, I would
6 assume.

7 REPRESENTATIVE OWLETT: From your GGO operating
8 line, maybe? Did you have that conversation? Did the
9 Governor tell you where that money was coming from when he
10 made that announcement?

11 SECRETARY TORRES: Again, I can get you those
12 figures and answer your question.

13 REPRESENTATIVE OWLETT: So you weren't aware of
14 where that was coming out of, whether it was coming out of
15 your budget or somewhere else? You just knew that it was
16 happening and it took place?

17 SECRETARY TORRES: Well, it's coming out of our
18 budget if it's, you know, a --

19 REPRESENTATIVE OWLETT: I find it interesting
20 that you didn't know where it was coming from. But if you
21 could get that to us, that would be great. Revenue knew
22 exactly how much they paid out in that so I figured you
23 probably would. And I figured all the Secretaries would
24 know how much they paid out for that payment.

25 In your GGO line, you have an increase of 12.9

1 percent, \$1.3 million. Help me understand what you plan to
2 use that for.

3 DEPUTY SECRETARY HORNER: That's for cost to
4 carry and, you know, pay increase.

5 REPRESENTATIVE OWLETT: Okay. Do you have any
6 prior year carryover funds that you're bringing into your
7 line item this year from last year?

8 DEPUTY SECRETARY HORNER: Not that I'm aware of.

9 REPRESENTATIVE OWLETT: Okay. My last question
10 has to do with inflation. Forty year high. Some of the new
11 numbers that came out, almost 10 percent inflation, which
12 for our seniors who are on a fixed income, this is pretty
13 dramatic for them the last 12 months.

14 How has this inflation been affecting our seniors
15 through the conversations that you've been having with them?

16 SECRETARY TORRES: Well, affordable housing is
17 one of the biggest concerns for our older adults.
18 Obviously, the rising cost of food would be a concern, I
19 mean, to seniors and to everyone else.

20 I haven't had any direct conversations. But
21 again, the cost of meals is a factor for the Area Agencies
22 on Aging because that's one of the main things that they're
23 doing, helping to feed older adults.

24 REPRESENTATIVE OWLETT: So you haven't had any
25 direct conversations with seniors on the inflation

1 challenges that they have?

2 SECRETARY TORRES: No, not directly.

3 REPRESENTATIVE OWLETT: Okay. I would encourage
4 that. I think you're advocating for them. I think those
5 personal conversations -- we have those conversations in our
6 offices. We hear about how this has been really truly
7 impacting them each and every day. It's a big deal. So I
8 would just encourage you to have those conversations so that
9 as you advocate for them to the Governor, that that's
10 foremost in your mind, the challenges that they personally
11 are having.

12 Thank you for being here.

13 SECRETARY TORRES: You're welcome.

14 And I just want to -- you know, I do work very
15 closely with the Pennsylvania Council on Aging. So that's a
16 body that is made up primarily of older adults that advise
17 the Department. They're a good resource for me to work
18 with.

19 REPRESENTATIVE OWLETT: Thank you.

20 SECRETARY TORRES: Thank you.

21 REPRESENTATIVE OWLETT: Thank you, Mr. Chairman.

22 REPRESENTATIVE TOPPER: The Chair thanks the
23 gentleman and recognizes the gentleman from Reading,
24 Mr. Guzman.

25 REPRESENTATIVE GUZMAN: (Speaking Spanish)

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Thank you so much for being here.

SECRETARY TORRES: Thank you.

REPRESENTATIVE GUZMAN: You know, I know that you are a friend in the city of Reading, so thank you so much.

SECRETARY TORRES: Thank you.

REPRESENTATIVE GUZMAN: Secretary Torres, in your opinion, would you consider home care and aide workers essential workers?

SECRETARY TORRES: Yes.

REPRESENTATIVE GUZMAN: So can you talk about what a minimum wage increase could mean for those workers who are currently struggling? And as we try to stabilize that market here in our Commonwealth, what would a minimum wage increase mean for those workers?

SECRETARY TORRES: It means trying to get them up to a living wage. Anybody who is working at minimum wage, that's not a sufficient wage to support their needs, especially if they have a family.

In terms of the older adults, we know that direct care workers oftentimes are working but also seeking assistance, some types of, you know, governmental assistance. You have those types of expenses that you're going to see on that end.

I believe stabilizing, helping to stabilize the labor force, especially a labor force that's looking out for

1 our seniors, is an important consideration when we're having
2 these discussions about the minimum wage.

3 REPRESENTATIVE GUZMAN: So in your opinion, would
4 you believe that a minimum wage increase could not only be
5 beneficial to the workers themselves but actually the
6 patients that these workers care for?

7 SECRETARY TORRES: Well, it's important from a
8 continuity standpoint to the extent that it helps stabilize
9 the workforce and reduce turnover in terms of caring for
10 individuals. Yes, I would say it does benefit all older
11 adults.

12 REPRESENTATIVE GUZMAN: So would you say that if
13 we were to increase the minimum wage that the quality of
14 care that our seniors will receive will be higher or lower?

15 SECRETARY TORRES: I believe it would be higher.
16 It would reduce that turnover rate.

17 REPRESENTATIVE GUZMAN: Great. Now, this next
18 question that I have is a little bit of a tough question,
19 Secretary. But I'd appreciate your candor in answering
20 this. We just heard from the IFO and their
21 performance-based budget review that the Department of Aging
22 revealed that as of August of last year, 11 Area Agencies on
23 Aging, including in Berks County, were found deficient in
24 their investigations of reports on needs. These area
25 agencies are receiving technical assistance and ongoing

1 monitoring by your Department.

2 Can you, to this Committee, outline the type of
3 technical assistance currently being provided to improve
4 those investigations in those AAAs?

5 And then my second question is, in addition, can
6 you explain to this Committee how the additional eight staff
7 that you have requested in your budget will lead to better
8 outcomes for our (speaking Spanish)?

9 SECRETARY TORRES: Okay. That's an important
10 question.

11 Let me start by saying any time that an Area
12 Agency on Aging is struggling from a performance standpoint,
13 the Department steps in and tries to assess what's going on.
14 Is it a matter of training, you know, technical assistance?
15 We monitor on an annual basis. But for any Area Agency on
16 Aging that is having performance issues, we go to a more
17 ongoing monitoring instead of waiting, you know, monitoring
18 one year and then say we'll be back another year. We're
19 pretty much monitoring as we go.

20 Part of what I've tried to do over the last
21 several years is really look at the data that we have. As I
22 mentioned earlier, we are providing Area Agencies on Aging
23 data, not just for themselves but other AAAs so they could
24 compare and see, you know, how they stand versus others. So
25 we're doing a little bit more benchmarking.

1 We're working. We're using technology to, you
2 know, support Area Agencies on Aging. I'm waiting for a
3 procurement to be finalized, which will set up an
4 application that will help in the cases of financial
5 exploitation, connect Area Agencies on Aging with financial
6 institutions.

7 We had a big Financial Exploitation Task Force
8 that did a lot of work in 2021. And as a result of that,
9 there's new partnerships that have developed between us and
10 the State Police, the financial institutions, and Area
11 Agencies on Aging. And there were over 30 stakeholders that
12 participated as part of that.

13 So there's a lot of education, training, looking
14 at operations and procedures to see what could be
15 streamlined and looking at what other policies we can change
16 to improve things.

17 REPRESENTATIVE GUZMAN: But specifically -- and I
18 know my time is almost up, Secretary. Specifically, No. 1,
19 what will those eight individuals do? And No. 2, will those
20 individuals be on the ground in communities like Berks
21 County, Erie, Dauphin, to help the investigations on the
22 ground?

23 SECRETARY TORRES: I know you're from Berks. I
24 want to say Berks is normally on top of their game. They
25 just had one issue that caused that, just for your own

1 information.

2 But specifically, we at the Department have been
3 relying on contractors. So having, you know -- the staff
4 that we're seeking is to replace contractors, make sure that
5 it's a stable workforce. The increase in the protective
6 service cases has also caused an increase in the amount of
7 appeals. So if somebody accuses you of abusing someone,
8 you're an alleged perpetrator, you have the right to appeal.
9 Those have increased. One of the staff positions is to
10 support legal.

11 And then we have a lot of projects related to
12 technology. So one person would be a project person. And
13 then the other six would be specifically individuals that
14 are going to be providing oversight and quality monitoring
15 to the Area Agencies on Aging.

16 REPRESENTATIVE GUZMAN: Well, thank you for that.

17 Mr. Chairman, just very quickly, I would say, you
18 know, I appreciate there's only one case, but that's still
19 one case too many and we have to do better.

20 Thank you.

21 SECRETARY TORRES: Thank you.

22 REPRESENTATIVE TOPPER: The Chair thanks the
23 gentleman and recognizes the gentleman from Washington,
24 Mr. O'Neal.

25 REPRESENTATIVE O'NEAL: Thank you, Mr. Secretary.

1 I have to admit I was a little taken aback by
2 your response to Representative Owlett's question. So I'm
3 going to have to start off by, do you participate in the
4 budgeting process that the Governor proposes for your
5 Department?

6 SECRETARY TORRES: We provide input, yes.

7 REPRESENTATIVE O'NEAL: Well, it doesn't seem
8 like you know your budget by your responses to
9 Representative Owlett.

10 SECRETARY TORRES: Okay.

11 REPRESENTATIVE O'NEAL: All right. I'm glad we
12 clarified that.

13 All right. So let's switch gears a little bit.
14 You know, one of the other comments that you made is that
15 you've made quite -- quote, we've accomplished quite a bit
16 in the past two years. Okay. So since at least as early as
17 June 2020, it's been publicly known that Brighton Rehab and
18 the Wellness Center in Beaver County has had serious
19 problems with the handling of COVID among its residents.

20 Last year the Committee, our Committee here,
21 actually asked you why your Department was impeding a
22 Federal investigation into Brighton's handling of the COVID
23 pandemic. And you claimed that your Department's motion to
24 quash the Federal subpoena was just a procedural issue.

25 However, since that time, it's also been revealed

1 that in December of 2020 right after you fought the
2 subpoena, a Brighton resident, who was a convicted sex
3 offender, had sexually assaulted a 39-year-old woman who had
4 severe dementia and was described as childlike.

5 So to review the timeline, June 2020, it was
6 widely known that there were problems at Brighton as it
7 related to the handling of COVID. At some point in late
8 summer, early fall, the U.S. Attorney empaneled a grand jury
9 to investigate. In December 2020, the sexual assault
10 occurred. Then in February 2021, your Department went to
11 court in order to withhold records for that grand jury.

12 So my question, Mr. Secretary, is, in light of
13 all the troubles at Brighton, was your Department actively
14 working against the Federal investigation?

15 SECRETARY TORRES: No, we were not.

16 REPRESENTATIVE O'NEAL: It's your agency that's
17 charged with enforcement of Pennsylvania's Older Adult
18 Protective Services Act, correct?

19 SECRETARY TORRES: Correct.

20 REPRESENTATIVE O'NEAL: Okay. So clearly it
21 seems to me that a ball was dropped when it comes to
22 Brighton Rehab.

23 SECRETARY TORRES: Well, you're referring --

24 REPRESENTATIVE O'NEAL: But this also isn't
25 unique because we also saw issues in the Pennsylvania

1 Veterans Homes and other nursing homes across the state.

2 So, I mean, is this the reason that we went to court so that
3 we could hide the failures of the Agency?

4 SECRETARY TORRES: No, not at all. I mean,
5 you're bringing up a case that's -- and I remember the
6 questioning last year. The gentleman who was questioning me
7 was asking, why are you withholding information? We
8 weren't. I very clearly stated that I was advised, based on
9 the regs that are on the books, that we needed a Court
10 Order.

11 And the article that was being referenced, the
12 local District Attorney even acknowledged and was quoted in
13 the article as saying that he understood and that this was a
14 procedural issue. So it wasn't an attempt to withhold
15 information. In fact, I know that they got the information
16 as soon as they went to court. So there's nothing untoward
17 in terms of what we were doing in that particular matter.

18 I was just advised and I followed lead counsel's
19 advice. And I even questioned it. I said, you know, I
20 don't want this to appear as if we're, you know, withholding
21 information in something this important. So, no, they got
22 their information. I was advised, you know, that it should
23 be a Court Order. And that's why that played out that way.

24 REPRESENTATIVE O'NEAL: Okay. Great.

25 So as we talked about your Agency is in charge

1 with enforcement of the Pennsylvania Older Adult Protective
2 Services Act. According to your website, the law requires
3 you to protect seniors who are at imminent risk of abuse,
4 neglect, and exploitation, and a safeguard of older people's
5 rights.

6 In light of the Department's failures in regard
7 to Brighton Rehab, in regard to the veterans homes across
8 the state, which, of course, have happened over the course
9 of two years now, what specific changes have been made in
10 order to better protect seniors who reside not just in
11 Brighton but across the Commonwealth?

12 SECRETARY TORRES: I don't agree with your
13 characterization. I mean, again, we investigate individual
14 cases. We're not the licensing entity for the veterans
15 homes or Brighton.

16 REPRESENTATIVE O'NEAL: You're not. But you are
17 charged with protecting older adults.

18 SECRETARY TORRES: We are. So as individual
19 cases are reported --

20 REPRESENTATIVE O'NEAL: So what you're telling me
21 is you only protect older adults if somebody complains?
22 That's what I'm hearing you say.

23 SECRETARY TORRES: If it's reported.

24 REPRESENTATIVE O'NEAL: Okay. So --

25 SECRETARY TORRES: If it's reported. If somebody

1 makes a report of need, which is a suspected case of abuse,
2 then, yes, we investigate.

3 REPRESENTATIVE O'NEAL: So you are not actively
4 going out to protect adults in any way?

5 SECRETARY TORRES: We investigate when a report
6 comes in.

7 REPRESENTATIVE O'NEAL: My time is just about up.
8 And, you know, I think it's despicable that your
9 response is that you only protect older adults when somebody
10 complains. I mean, everybody knows the situation of nursing
11 home facilities across the Commonwealth. The idea that
12 you're only -- you're going to sit here in Harrisburg in
13 your Ivory Tower and only protect older adults when you get
14 a complaint is absolutely ridiculous.

15 SECRETARY TORRES: It's up to the licensing
16 entities, Department of Health, Department of Human
17 Services, that do quality site visits --

18 REPRESENTATIVE O'NEAL: Sure. Sure. Sure.

19 SECRETARY TORRES: -- to provide --

20 REPRESENTATIVE O'NEAL: Sure. Lack of
21 responsibility, Mr. Secretary.

22 REPRESENTATIVE TOPPER: All right.

23 We are concluded with our questioning and we will
24 now move on to the lady from Philadelphia, Ms. Bullock.

25 REPRESENTATIVE BULLOCK: Thank you, Chairman.

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Good afternoon, gentlemen.

SECRETARY TORRES: Good afternoon.

DEPUTY SECRETARY HORNER: Good afternoon.

DIRECTOR SNEDDEN: Good afternoon.

REPRESENTATIVE BULLOCK: Last month the tragic fire happened in my district in which we lost 12 individuals in a multi-generational home. And it raised the alarm in regards to the availability of multi-generational housing in which grandparents can raise grandchildren and families can live together and support their elders.

Following up to my colleague's previous question as well as in regards to individuals, aging individuals with criminal records, the situation around multi-generational housing and just the overall availability of affordable housing options for our seniors, can you share with me what programs and options your Agency is looking at and how we can provide housing, whether it be multi-generational or housing in which seniors are sharing spaces with others and housing which addresses the needs of our most vulnerable aging seniors, including those who are LGBTQ and other demographics that may present barriers to them finding affordable housing in the Commonwealth?

SECRETARY TORRES: Yes. Thank you for that question.

So as I mentioned before, we have a program

1 within the Department of Aging that oversees domiciliary
2 care homes. Those homes are not expanding but those are
3 homes that are in the community and have up to three beds
4 and basically allow older adults to reside in a home setting
5 supported within that unit.

6 One of the things that we've been doing is we
7 have what's called a shared program. It's a shared housing
8 and resource exchange. We started it in Pike, Wayne, and
9 Monroe Counties and we've expanded since to Adams, Crawford,
10 Union, Snyder, Venango, and Carbon Counties, because we got
11 some additional funding to work with. We have plans to
12 expand to Philadelphia, Lackawanna, Montgomery, and
13 Northumberland.

14 Basically, what this program does is looks to
15 pair up older adults who may have a home or may be in need
16 of assistance with someone who is looking to rent, if it's a
17 home unit in exchange for perhaps lower rent and helping the
18 older adult, you know, with chores around the house. So
19 that's one program that we have.

20 We have another program that we've applied for
21 funding through the Pennsylvania Housing Finance Agency.
22 It's called the Echo Program. These are small cottages that
23 are mobile and can be put on a property of a family member
24 or a friend that's willing to look out for an older adult.
25 So those are three different options that we have in terms

1 of housing.

2 But again, you know, for our older adults,
3 overwhelmingly affordable housing keeps coming up as one of
4 the biggest concerns that they have. So it's a big issue
5 for Pennsylvania, especially when you consider the numbers
6 in terms of -- we're at 3.4 million now. Over the next
7 eight years, the number of individuals over 60 is going to
8 grow to 4 million. So that's almost one in every three
9 Pennsylvanians. And the number over 85 will probably double
10 based on our projections.

11 REPRESENTATIVE BULLOCK: Thank you for that.

12 And as Pennsylvania ages, I'm sure we're going to
13 see more and more of our older Pennsylvanians who identify
14 as LGBTQ. I know that Philadelphia has in the last five
15 years or so built maybe ten affordable senior housing for
16 those who identified as LGBTQ. Have you seen other examples
17 of that across the Commonwealth?

18 And second, I just want to follow up a little bit
19 more on the multi-generational housing. I work with a group
20 in Philadelphia called Grands as Parents. And we're seeing
21 a growing number of grandparents, of course, caring for
22 their grandchildren and needing to find affordable housing
23 that welcomes them and has the resources for them as seniors
24 but also the resources they need to care for their
25 grandchildren. And that housing is not really existing.

1 And I'm not sure if you're having any conversations about
2 that with PHFA, public housing authorities, or other housing
3 agencies across the Commonwealth.

4 SECRETARY TORRES: I have not, but I actually
5 visited William Way and the housing unit that you're
6 referring to. But I'm not familiar with other types of
7 housing for LGBTQ older adults.

8 We are planning to have a followup to a summit
9 that the Department held back in 2018. So perhaps that's an
10 issue we can take up as one of the, you know, subjects of
11 importance to that community.

12 REPRESENTATIVE BULLOCK: Thank you so much.

13 Thank you for your consideration and I think, as
14 we move forward, understanding that Pennsylvania's diversity
15 also reflects a diversity of how our families grow and live
16 together. And so I hope that we can find housing options
17 that meet the diverse growing and aging population of
18 Pennsylvania.

19 Thank you very much.

20 SECRETARY TORRES: Thank you.

21 REPRESENTATIVE TOPPER: The Chair thanks the lady
22 and recognizes the gentleman from Chester, Mr. Lawrence.

23 REPRESENTATIVE LAWRENCE: Thank you, Mr.
24 Chairman.

25 Mr. Secretary, a September 23rd, 2021, Associated

1 Press article by Mark Levy entitled, State Presses
2 Philadelphia Agency Over Elder Abuse and Neglect, states,
3 and I'm quoting from the article, Governor Tom Wolf's
4 Administration became so concerned about how three cases of
5 neglect or abuse of older people were handled in
6 Philadelphia that it is ordering improvements at an agency
7 there but officials are refusing to disclose what happened
8 to those three people or whether they are still alive.

9 The August 6th letter by Wolf's Department of
10 Aging Secretary, Robert Torres, came weeks after staff at
11 the State agency began raising alarms. Torres's letter went
12 to the President of the Philadelphia Corporation for Aging,
13 a non-profit with a State contract, to field and respond to
14 calls about elder abuse and neglect in the city.

15 The copy requested by the Associated Press was
16 heavily redacted. Redactions left it unclear whether those
17 three adults are alive or dead. Both the Department and the
18 non-profit have refused to disclose exactly what happened to
19 them.

20 Mr. Secretary, what happened to those three
21 people?

22 SECRETARY TORRES: I'm not at liberty to discuss
23 individual cases. What I can tell you is that exactly what
24 you read in the article, the Philadelphia Corporation for
25 Aging underwent some significant changes in terms of their

1 executive leadership. The pandemic hit them really hard.
2 There was significant loss of staffing and they ran into
3 problems. As soon as we became aware of it, we started
4 extensive monitoring, which we're still doing. And we're
5 helping them to work, you know, through these challenges.

6 REPRESENTATIVE LAWRENCE: Mr. Secretary, with all
7 due respect, I want to know, these people -- I want to know
8 if the Philadelphia Corporation for Aging is responsible for
9 the death of these three individuals.

10 SECRETARY TORRES: Again, I'm not at liberty to
11 comment on any cases.

12 REPRESENTATIVE LAWRENCE: Will you make a copy of
13 that unredacted letter available to the Chairman of this
14 Committee?

15 SECRETARY TORRES: I would have to check with my
16 counsel. Again, look, you know, the redactions occur
17 because there's specific requirements in the regulations,
18 just so folks understand. It's not any of us sitting there,
19 you know, redacting the --

20 REPRESENTATIVE LAWRENCE: Mr. Secretary, we're
21 talking about the death, potentially the death, of three
22 people at the hands of an agency that you directly oversee.

23 SECRETARY TORRES: Right. But you're talking
24 about the redactions. I just want to make sure you
25 understand there's certain requirements in the Code in terms

1 of information that we can share and the circumstances under
2 which we can share them. And that's why things get
3 redacted.

4 REPRESENTATIVE LAWRENCE: Mr. Secretary, I'll
5 appreciate your followup with the Chairman of this
6 Committee.

7 My understanding is that your Department is
8 taking the extraordinary steps of assigning State employees
9 to staff the Philadelphia Corporation for Aging. How many
10 State employees are working at that agency?

11 SECRETARY TORRES: At the Philadelphia
12 Corporation for Aging?

13 REPRESENTATIVE LAWRENCE: Yes.

14 SECRETARY TORRES: Well, specific to protective
15 services they have 50 positions allocated as investigators
16 but they are not all filled. So they probably have about
17 42. And then they have supervisors.

18 REPRESENTATIVE LAWRENCE: Are those State
19 employees? It's my understanding the State has taken the
20 extraordinary step assigning State employees to help staff
21 the Agency.

22 SECRETARY TORRES: Oh, okay. I thought you were
23 asking about Philadelphia. We have about six individuals
24 that were specifically helping to oversee cases in
25 Philadelphia and then several others that were, you know,

1 supporting that effort.

2 REPRESENTATIVE LAWRENCE: Is the State paying for
3 those employees or is the cost of those employees being
4 reimbursed by the Agency or the City of Philadelphia?

5 SECRETARY TORRES: No. We're paying for it.

6 REPRESENTATIVE LAWRENCE: So the press reports
7 indicate that those State employees were previously assigned
8 to other duties. The press reports indicate that these
9 State employees have taken over hundreds of cases at PCA and
10 as a result can't keep up with their typical duties, which
11 are monitoring other AAAs across the Commonwealth, as a
12 result.

13 Are you concerned about this drop in oversight?

14 SECRETARY TORRES: Of course I'm concerned. But,
15 you know, we continue to provide oversight. We just, you
16 know -- we have some challenges in terms of the resources
17 and the timeliness of being able to keep up. But we still
18 provide oversight.

19 REPRESENTATIVE LAWRENCE: Mr. Secretary, State
20 law directs the State to take over protective services that
21 have concerns about the services provided by an Area Agency
22 for Aging.

23 Have you talked about a State takeover in
24 Philadelphia? If you haven't, to be frank, what would it
25 take for the State to come in? We're talking about

1 apparently potentially the death of several individuals.
2 What else would need to happen?

3 SECRETARY TORRES: We're working with
4 Philadelphia. We have a plan. They have contractors that
5 are supporting them. They have other area agencies that are
6 supporting them. So we're hoping to get them to a point
7 where we don't have to exercise that option. But that is an
8 option.

9 REPRESENTATIVE LAWRENCE: Have you spoken with
10 the Governor about this situation in Philadelphia and what
11 the State should be doing about it?

12 SECRETARY TORRES: I have not spoken directly to
13 him, no.

14 REPRESENTATIVE LAWRENCE: I find that surprising
15 and disappointing.

16 Thank you, Mr. Chairman.

17 REPRESENTATIVE TOPPER: The Chair thanks the
18 gentleman and recognizes the gentleman from Juniata,
19 Mr. Hershey.

20 REPRESENTATIVE HERSHEY: This is related to the
21 proposed Department of Health Nursing Home Regulations that
22 they proposed last summer. As you know, they proposed to
23 increase the staffing requirements by 52 percent. That's
24 2.7 care hours of 4.1. And during this process, the
25 Department of Aging long-term care ombudsman Margaret

1 Barajas suggested that these regulations could save taxpayer
2 dollars when she said, and I quote, taxpayers all pay more
3 when residents -- that's nursing home residents -- who have
4 received inadequate care end up in the hospital or under
5 protective services.

6 I'm sure we would all love to see our loved ones
7 have more care hours. But I'm curious about how these cost
8 savings are planned to be realized. When a nursing home
9 resident is hospitalized, that's Medicare paying for that
10 and not Medicaid dollars. And, in fact, the Governor's
11 Budget actually includes a \$90 million increase to begin to
12 pay for the increased cost in staffing that these
13 regulations would have.

14 So I'm curious. How much money does the State
15 actually plan to save in implementing these regulations?

16 SECRETARY TORRES: Well, the proposal is based on
17 the increase in the staffing ratio. And that staffing ratio
18 has been recommended because it aligns with what CMS and
19 research has said. It's an adequate and appropriate level
20 of staffing hours per resident in a skilled nursing
21 facility. And I believe that's why Mrs. Barajas made that
22 observation in terms of, you know, if you have quality care,
23 appropriate level of staffing hours attending to residents
24 in a long-term care facility, if you can avoid issues where
25 perhaps you don't -- that's caused by insufficient resident

1 hours.

2 REPRESENTATIVE HERSHEY: Has the Department
3 actually modeled these savings and what that could look
4 like? Do you have any idea how much savings you think you
5 could realize?

6 SECRETARY TORRES: I have not modeled that, no.

7 REPRESENTATIVE HERSHEY: Okay. And as you know,
8 the Governor proposed more than \$90 million in State funds
9 for the Medical Assistance Program in order to allow nursing
10 homes to begin hiring staff necessary to implement the
11 increased staffing ratios proposed in regulations.

12 That does not sound like a tax savings to me.
13 That sounds like we're spending \$90 million more to
14 implement this program. So if the proposed regulations are
15 going to save taxpayer money, I'm confused why we're going
16 to spend \$90 million more to implement this program. Could
17 you explain that to me?

18 SECRETARY TORRES: Again, it's to achieve a level
19 of staffing that CMS recommends and that based on research
20 that's out there, it's an appropriate level of staffing at a
21 skilled nursing facility.

22 REPRESENTATIVE HERSHEY: Well, I don't think that
23 this proposal makes a lot of sense to me. And when we're
24 looking at a time when our nursing homes are struggling to
25 find staff in the first place, I think that, of course, the

1 Department of Health should rethink that regulation
2 entirely. But that's a different issue.

3 And again, I'm not saying that we shouldn't have
4 more care hours. Of course, we would love to see our loved
5 ones well taken care of. But, again, that extra \$90 million
6 in spending to implement this regulation, that doesn't sound
7 like a cost savings to me.

8 And so I think that if we are really trying to
9 realize costs, realize a cost savings here, I really think
10 that the Administration should rethink that request because
11 that's a -- a cost savings is not an extra \$90 million.
12 That's a lot. And, of course, that is a lot out of our
13 General Fund here. So I would appreciate you guys
14 rethinking that.

15 Thank you, Chairman.

16 REPRESENTATIVE TOPPER: The Chair thanks the
17 gentleman and now recognizes the gentleman from Susquehanna,
18 Mr. Fritz.

19 REPRESENTATIVE FRITZ: Thank you, Representative
20 Topper.

21 And good afternoon, Secretary Torres and crew.
22 Thank you.

23 SECRETARY TORRES: Good afternoon.

24 REPRESENTATIVE FRITZ: Pennsylvania per capita
25 has the fifth highest population of seniors in the nation.

1 Now, Mr. Secretary, with that in mind, I'm looking to
2 discuss the Older Adult Financial Exploitation Task Force.
3 And for our folks at home, this is a task force of 14 State
4 agencies and 20 stakeholder groups working together to
5 better understand financial exploitation or abuse, to learn
6 from victims and their families, examine barriers to
7 reporting these abuses, and work to identify risks and
8 prevention measures.

9 Now, Mr. Torres, this last June, the Older Adult
10 Financial Task Force issued 15 recommendations covering
11 education, training, operations and procedures, and
12 legislation. Please, Mr. Secretary, give us an update or a
13 report on implementation of those measures.

14 SECRETARY TORRES: Thank you for that question.

15 Actually, we just met. About two weeks ago we
16 reconvened the task force. As you mentioned, the task force
17 has issued 15 recommendations related to building more
18 public awareness of financial exploitation, training,
19 training health care professionals in terms of when they
20 diagnose early dementia, what they can be doing with their
21 patients to help and protect their resources and take steps
22 to avoid being financial exploited.

23 We're looking at operations and procedures and --
24 what's the last one? -- and some changes legislatively. So
25 the task force itself has some subcommittees that are broken

1 out. And we reported out actually -- we have our
2 presentation on where we're at.

3 We're targeting to implement many of our
4 recommendations by the summer. We want to get it done by
5 the end of this Administration. We've had training videos
6 that are being produced. We have investigator tool kits
7 that are being put together and have been put together.
8 We're working with the Attorney General's Office, with State
9 Police. Actually, Colonel Evanchick reached out to me
10 because he said we're seeing more financial exploitation
11 even in our criminal investigations. So as a result of
12 that, he has a unit that's now working on financial
13 exploitation. And we're working closely with them.

14 So the progress is going very well. We hope to
15 have most of them implemented by the summer.

16 REPRESENTATIVE FRITZ: Okay. So, Mr. Secretary,
17 based on what we've learned and really what my goal here is,
18 I want to shine a light on this particular issue. And I
19 want to help enlighten some of my constituents back home,
20 especially my older adult constituents.

21 What are the most typical methods that
22 perpetrators use or used to manipulate seniors and/or gain
23 access to their bank accounts or financial holdings?

24 SECRETARY TORRES: Typical methods are pretending
25 to be someone they are not, perhaps seeking help for a

1 relative and trying to get personal information that would
2 give them access to financial resources of the older adult,
3 asking them to go out and get gift cards.

4 Again, that's very typical. And that's something
5 that we're working with the Attorney General and State
6 Police on so we can be more proactive in terms of getting to
7 retail establishments and letting them know what the signs
8 of financial exploitation are. If you have an older adult
9 coming and buying \$500 worth of gift cards, somebody should
10 raise a flag. And we've seen that happen.

11 Family members, unfortunately, are the top
12 perpetrators of financial exploitations. So again, if
13 someone finds themselves in a situation where -- I'm going
14 to use dementia as an example -- they're diagnosed with
15 early stage dementia, being able to proactively find someone
16 who you trust to help you with financial decisions and help
17 safeguard your assets and your resources, I think are
18 procedures that we should encourage everyone to consider.

19 REPRESENTATIVE FRITZ: Thank you. That's good
20 information.

21 And, Mr. Secretary, I've learned through my
22 district offices that seniors oftentimes have lack of access
23 to a computer or technology or sometimes it boils down to
24 they just don't have that proficiency when it comes to
25 technology. And we learned what a frustration that is. So

1 I guess I'm curious, does your Agency recognize the fact
2 that many seniors don't have computers? And what do you do
3 to accommodate those folks?

4 SECRETARY TORRES: We do. I know Tom, through
5 our PACE Call Center, will make calls and work with them
6 directly without having a computer. We also see the other
7 side where older adults now, given the experience of the
8 last two years with the pandemic, are interested in using
9 technology. And we've taken steps to help them where we
10 can.

11 The Intergenerational Universities Connections
12 Program, the students are able to actually sign out
13 technology if the older adult wants to learn with the
14 students. So that's something that we've promoted. And we
15 have the ability to even give them some free equipment
16 afterwards through a grant that we have.

17 REPRESENTATIVE FRITZ: Okay.

18 SECRETARY TORRES: Where there's a need, we're
19 helping. But, you know, we understand that we have to reach
20 people differently.

21 REPRESENTATIVE FRITZ: I appreciate your
22 awareness and your testimony.

23 Thank you, Mr. Secretary.

24 SECRETARY TORRES: Thank you.

25 REPRESENTATIVE FRITZ: And thank you, Mr.

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Chairman.

REPRESENTATIVE TOPPER: The Chair thanks the gentleman.

And, Mr. Secretary, we are winding down. We have one more member of the Committee to ask questions. And then we'll go to our final two questioners, who will be the Committee Chairs of the Standing Committee. I know Chairman Samuelson is raring to go but we do have one more.

The gentleman from Carbon, Mr. Heffley.

REPRESENTATIVE HEFFLEY: Thank you, Mr. Secretary, for being here.

SECRETARY TORRES: Thank you.

REPRESENTATIVE HEFFLEY: The question I had is some of the concerns I've heard raised in the district about Maximus. Maximus serves as an independent enrollment broker for Medicaid services and is responsible for enrolling individuals after they have been determined eligible for services.

Last year, in addition to the enrollment services, the Department of Human Services selected Maximus to do financial assessments as well. Did you have any -- did your Department have anything to do with the selection process?

SECRETARY TORRES: No, we did not. That's the Department of Human Services procurement.

1 REPRESENTATIVE HEFFLEY: I understand it's the
2 Department of Human Services. But your Department's mission
3 is to serve and protect and advocate for older
4 Pennsylvanians. And the individuals involved in the
5 Medicaid assessment process are overwhelmingly seniors. Did
6 DHS solicit your Department's expertise when soliciting the
7 contract for those services at all?

8 SECRETARY TORRES: We were not -- we had a staff
9 member participate in the process.

10 REPRESENTATIVE HEFFLEY: Given Maximus's history
11 of poor performance in executing the enrollment duties, do
12 you think it's appropriate to expand Maximus's
13 responsibility at this time?

14 SECRETARY TORRES: I'm not really at liberty to
15 comment. I know it's being --

16 REPRESENTATIVE HEFFLEY: I guess I'm just looking
17 for your opinion. I mean, this is the Department of Aging.
18 It's your responsibility. The Department of Human Services,
19 for whatever reason, they contracted with the company who
20 we've had issues with in the past. I've heard from a lot of
21 the folks in the district, the AAAs, which are operating
22 well, that they are very concerned about this. AAAs had
23 this responsibility in the past. And it seems like now they
24 are taking it away from them and giving it to a third-party
25 vendor who really has a terrible track record. So you're

1 saying that DHS really hasn't consulted with you as the
2 Secretary of Aging to say, hey, this might not be the best
3 idea for our seniors. Because at the end of the day, these
4 are folks, like we heard earlier, maybe they don't have a
5 computer, you know, they're struggling to get by, and then
6 they do qualify for these services and we have a provider
7 that's delaying enactment for them to get their services.

8 And when you're 85 or 90 years old, you don't
9 have a year to wait for these services, right? I mean -- to
10 get it straight, the DHS really didn't ask for your opinion
11 or take your opinion in this process to contract with
12 Maximus?

13 DEPUTY SECRETARY HORNER: To address your
14 question, yes, we worked together, the Department of Aging,
15 DHS, and the Office of Long-Term Living. They proposed to,
16 you know, use an enrollment broker that had other
17 responsibilities such as the FED. They proceeded to move in
18 that direction. We did have -- we voiced our concerns
19 regarding that. But the idea was to streamline the process
20 and be able to have one vendor to coordinate all the
21 services.

22 REPRESENTATIVE HEFFLEY: But did it really
23 streamline the services, the process, when we went with a
24 company like Maximus who we had a history with in the past
25 in which I'm hearing there's issues now? So I guess my

1 concern is that DHS really didn't follow the direction of
2 the Department of Aging. And now we have a service that is
3 functioning poorly for our senior citizens. So that's my
4 concern.

5 SECRETARY TORRES: Representative, I'd just like
6 to clarify. I mean, the procurement is not over. So
7 nothing has really transitioned. I understand what you are
8 saying in terms of the concerns that the AAAs have if this
9 goes to, you know, Maximus. They voiced their concerns. We
10 certainly understand it at the Department of Aging.

11 Right now, you know, that whole procurement is
12 basically at a standstill in terms of a protest. So really
13 nothing has transitioned over yet. And there's no final
14 decision on it.

15 REPRESENTATIVE HEFFLEY: I would appreciate, you
16 know, really standing up for the seniors and making sure
17 that any third-party provider that's going to come in and
18 take away from the AAAs which have been doing -- in my
19 district they are doing a good job. It's a small district.
20 It's a small community. They have a relationship with these
21 folks.

22 And to take that away from them and give it to a
23 third party which has a terrible track record just doesn't
24 make any sense.

25 Thank you, sir.

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SECRETARY TORRES: Thank you.

REPRESENTATIVE TOPPER: The Chair thanks the gentleman and recognizes the Minority Chairman of the House Aging and Older Adults Committee, Chairman Samuelson.

REPRESENTATIVE SAMUELSON: Thank you very much. Thanks for your testimony.

SECRETARY TORRES: Thank you.

REPRESENTATIVE SAMUELSON: A couple of questions. One is about the recent PACENET expansion, then a question about the options program, and then also some questions about your efforts to address hunger in our communities, specifically the SNAP increase.

So the PACENET expansion, it was my honor to work with Representative Wendi Thomas on a bill that passed this House unanimously in October, passed the Senate in December, the Governor signed it into law just before Christmas, which expanded the PACENET income limits by \$6,000. So now the new income limits are 33,500 for a single person and 41,500 for a married couple.

The law takes effect 60 days after the Governor signed it. So by my count that's next Monday, February 21st, these new income limits will be in effect. And I appreciate the bipartisan support in the House of Representatives for that legislation.

My question is for the Director of the PACE

1 program, Mr. Snedden. I understand there's some estimates
2 of how many people you think are going to sign up this year.
3 But also I think there's a group that you can sign up right
4 away because they have already applied and they were
5 previously over the income limit but now they will be
6 eligible.

7 What are some of the numbers that you're
8 expecting to enroll in the near future and later this year?

9 DIRECTOR SNEDDEN: Well, your understanding is
10 correct, Representative Samuelson. And as to the numbers,
11 this past week we began mailing out PACE cards to people who
12 will be newly eligible next Monday. And we will conclude
13 the mailings this coming Friday. And the total will be
14 11,200 new PACE cards for newly eligible people.

15 REPRESENTATIVE SAMUELSON: So 11,200 immediately
16 but you have projections for how many more this year?

17 DIRECTOR SNEDDEN: Well, based on actuarial
18 estimates from previous increases that we did going back for
19 seven years, we would expect one in five of the new pool,
20 eligible pool, 100,000, to enroll in the benefits. So that
21 would add another 8,800 people.

22 REPRESENTATIVE SAMUELSON: Okay. So perhaps
23 20,000 this year. But if every single person who is
24 eligible signed up, it would be another 100,000?

25 DIRECTOR SNEDDEN: Yes.

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REPRESENTATIVE SAMUELSON: Thank you.

DIRECTOR SNEDDEN: Right. It would be 20,000.

REPRESENTATIVE SAMUELSON: It would be 20,000 in the year 2022?

DIRECTOR SNEDDEN: Correct.

REPRESENTATIVE SAMUELSON: Okay. Thank you.

The Options Program I know is administered by our Area Agencies on Aging and allows seniors to sign up for programs like adult day services, home-delivered meals, care management, home health aides. There is a waiting list, not in every part of the state. But in 43 out of our 52 Area Agencies on Aging, there's a waiting list.

This budget, unlike some previous budgets, doesn't have any additional funding to address the waiting list. So I wanted to ask, the Lottery Fund, we heard this morning from the Department of Revenue that the Lottery Fund had a record year last year, record profits. In fact, they have had a billion dollars a year in profits for ten years in a row now. And, of course, the Lottery Fund is directed to help our senior citizens.

At the end of this year, the Lottery Fund, I think, is going to have a balance of \$158 million. This is after setting aside \$75 million in a Reserve Fund. But \$158 million surplus -- 158 in the fund balance this year. Next year 268 million. So the fund balance for the Lottery Fund

1 is growing by \$110 million.

2 Why not use some of that Lottery Fund fund
3 balance to propose an initiative to reduce the waiting list
4 for the Options Program to benefit our seniors?

5 SECRETARY TORRES: Mr. Chairman, we have
6 encouraged the Area Agencies on Aging to leverage the
7 Federal funding that we have in to support options-related
8 services.

9 Something that I mentioned earlier was what we've
10 seen this year is, last year we had 814 individuals waiting
11 for services because of lack of providers. That number has
12 more than doubled. So we are having a real challenge right
13 now in terms of the waiting list because of providers.

14 There's Federal funding that's available and that
15 can be leveraged to support those services.

16 REPRESENTATIVE SAMUELSON: You're talking about
17 the American Rescue Plan money that counties could go ahead
18 and --

19 SECRETARY TORRES: That's correct.

20 REPRESENTATIVE SAMUELSON: -- ask for some of
21 that to address the options waiting list?

22 SECRETARY TORRES: That's correct. And we've
23 encouraged them to do that.

24 REPRESENTATIVE SAMUELSON: Okay. Final question.

25 I think you are proposing -- the Governor has

1 proposed an increase in the SNAP Program for our senior
2 citizens of \$15 extra a month for the Supplemental Nutrition
3 Assistance Program. How long will that increase -- if it's
4 approved by the Legislature, how long will that increase
5 last? Is it a one-year increase or a permanent increase?

6 SECRETARY TORRES: That will be a question for
7 the Department of Human Services.

8 REPRESENTATIVE SAMUELSON: Okay. But the
9 initiative, additional SNAP funding, would address hunger
10 issues across the state and would also benefit our seniors.

11 Thank you, Mr. Chairman.

12 MAJORITY CHAIRMAN SAYLOR: Very good.

13 Next is the Chairman of Aging, Chairman Gary Day.

14 REPRESENTATIVE DAY: Thank you, Mr. Chairman.

15 Mr. Chairman, thank you for all of today. You've
16 had two hearings that I've been to, three total. I really
17 appreciate you and your staff and all of your members of the
18 Committee on both sides of the aisle. You've done an
19 outstanding job.

20 Mr. Snedden, thank you for being here.

21 DIRECTOR SNEDDEN: Thank you.

22 REPRESENTATIVE DAY: I'm glad my colleague and
23 friend of almost 30 years, Chairman Samuelson, gave you a
24 chance to take a little victory lap on that Thomas and
25 Samuelson bill. Thank you for bringing that to our

1 attention and moving that forward.

2 Mr. Secretary, I want to get into some questions.
3 I'm glad he took time to do that because I can't get to the
4 victory lap stuff. What I've heard here today is quite
5 concerning to me. So I'm going to ask one question and then
6 get into follow-up questions on what some of my colleagues
7 on both sides of the aisle have talked about today.

8 Our long-term care providers have been asking for
9 a reimbursement increase for ten years. I have been here
10 for 14. This is my 14th year. I've watched through our
11 revenues through the years, there were some, but I
12 understand that we couldn't even consider it. Now it
13 doesn't seem to be the case.

14 So they have been asking for a reimbursement
15 increase for over ten years. SCIU Health Care representing
16 employees, as I know you know, many times are at odds with
17 the long-term care providers on how to solve our problems.
18 They believe this as well in a way that they want frontline
19 workers to have wage increases because they know what's
20 happening to our frontline workers as far as wage
21 competition with other industries. We need to have a strong
22 workforce in this space. We need that increase. And our
23 providers are saying that they are willing to push it
24 through to the bedside.

25 The Governor's proposal scares me because it

1 talks about the issue and it allocates one-tenth of the
2 money estimated is needed to do this. That's the scariest
3 public political proposal that you can do, talk about it
4 like you're going to do it, but don't fund it. I'm nervous
5 and scared about that. I was surprised to see that.

6 Mr. Secretary, we need to work together as the
7 Chairman of this Committee and in your position, I believe
8 that you must -- and I really believe it's your duty. The
9 people in my district, the members on my Committee on both
10 sides of the aisle, I feel I take the responsibility for
11 their constituents as well.

12 They want us to stand on your desk. So I'm
13 trying to do that in the most professional way that I know
14 how. I believe it's your duty to point this out internally.
15 From questions before and from my question now, it doesn't
16 appear that you are doing that internally.

17 I want to be more wind in your sails than
18 accusing you of not doing something right. I don't want to
19 be doing that. But the results are that it doesn't appear
20 like it's -- it's not coming through in the proposal . I
21 need you to do it internally and then break from the
22 Administration if they're not doing it and do it publicly.

23 So can you tell me about this proposal? The
24 Governor talks about it, but he doesn't fund it. Could you
25 explain that, please?

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SECRETARY TORRES: Can you be more specific in terms of the proposal that you are referring to?

REPRESENTATIVE DAY: I'm going to talk about -- I'm going to -- no, I won't. I'm going to go into the other things and follow up the other questions. If you don't know -- listen. Like I said, Mr. Secretary, let me go into the other things. I only have a few minutes and I respect my colleagues' time.

Whoever is your Budget Administrator -- I'm sorry, sir. I don't know if you are. Are you? -- should be here at this meeting. Okay. Whoever that is. If it's someone in another department and we're using somebody else, they should be here to answer these questions. I appreciate and always use -- but there's some basic budget questions that have been asked today that you should have your budget person, whoever that is, right by your side today to answer some of these.

There's no way that I should have 10 to 12 pages of questions about protecting seniors, about what the Agency is doing. We've learned through COVID the intertwining of the Department of Aging, Human Services, and Health. I want to try to unpack that, get responsibilities separate. We know in the first three to six months after COVID, you know, you received a pass. And that's okay. But the things that are happening now when you ask for \$667,000 for seven or

1 eight more employees and my caucus members will come to me
2 and say, hey, what are we going to get for that money?

3 Because our caucus looks at things, how do we
4 spend it to get the most bang for the buck in what we're
5 doing? They're going to say, should we do it? What are we
6 going to get from that? I don't know what I'm going to tell
7 them. Like, I don't -- how do we not -- you know, people
8 have gone into -- I call my colleagues across the aisle from
9 Philadelphia. I would be outraged with what's going there.

10 My colleague from Berks County -- I had a piece
11 of Berks County. I don't in the new redistricting. But I
12 sympathize with you and thank you for asking questions on
13 behalf of your members, of your constituents. It needs to
14 be asked.

15 When they ask me, what will we get for it? guess
16 what? I can't partner with you. I can't defend it. I
17 can't ask them for the funding because I have no expectation
18 that it's going to be used appropriately or properly.

19 You had that pass in the first three to six
20 months. I'm concerned when people ask you, what are you
21 doing? You're saying, I'm on a bike and I'm pedaling really
22 hard. And that's okay for my son who just came out of
23 college. It's okay for the mid-level folks. But not for
24 the leaders in the Commonwealth of Pennsylvania's
25 government.

1 I like you. I don't want to hear that we're
2 pedaling real fast. I want to hear how far we've gotten.
3 Is the bike secure, strong, and protecting our seniors?
4 That's what I want to hear.

5 When they ask me, should we do it? I'm not going
6 to be able to say yes. People in my district want me to
7 stand on your desk. That's what I have to do right here and
8 now. That's what I'm asking you to do. I'd like you to do
9 it internally. That's the way I do it with the Chairman. I
10 stand. I come in and talk to him and say, we need funding
11 here. We need you to do it with the Administration.

12 And I'd love -- Mr. Chairman, I'd love to give
13 him an opportunity to respond.

14 SECRETARY TORRES: Well, first of all, I'm more
15 than happy to meet with you and get into more details. The
16 first thing I would say in terms of the protective service
17 proposal, my first day on the job back in January of 2019,
18 the Office of Inspector General gave me a report. And right
19 here in the report it says, the Department should hire
20 additional staff, cross-train existing staff to allow for
21 increased monitoring and technical assistance.

22 The numbers are what they are. You know, the
23 level of report of needs that have been reported over the
24 last five years has increased 63 percent. And that's with
25 the dip in 2020 because of the pandemic, like we saw in

1 other areas like child protective services and adult
2 protective services.

3 We've been operating with contractors. So what
4 the proposal is trying to do is stabilize the workforce in
5 terms of having permanent Commonwealth employees that are
6 dedicated to this, go from a more reactive operational way
7 of dealing with the Area Agencies on Aging and be more
8 proactive. We're doing some of that. But it takes
9 resources. And this is an important one.

10 I mean, that's why I proposed it to the Governor.
11 And I'm happy to meet with you and have more conversations
12 on specifics.

13 REPRESENTATIVE DAY: Our Committee is going to be
14 having a hearing. Maybe we'll get more into detail and
15 you'll be able to talk about that a little bit. So I don't
16 need to take time there.

17 But it's really hard for me to be an advocate for
18 you within our caucus, within the Chamber, that it's
19 actually going to produce anything and it's the best
20 spending of our dollars. It's very hard to do. I need you
21 to be the professional that I know you are. I need you to
22 see like, you know, in that movie when the kid says, I see
23 dead people, I see things that other people don't see.
24 Those things keep me up at night. And I'm on the
25 legislative side. You're the administrator. You're

1 supposed to be closer to these people. When the AAAs in
2 Philadelphia aren't doing their job, when do you take over?
3 The question was here. You didn't answer.

4 MAJORITY CHAIRMAN SAYLOR: Representative, I need
5 to --

6 REPRESENTATIVE DAY: What's the plan?

7 MAJORITY CHAIRMAN SAYLOR: I need to wrap this
8 up.

9 REPRESENTATIVE DAY: Thank you, Mr. Chairman.

10 And, Secretary, thank you for your public
11 service. I appreciate it. The Achilles' heel of the public
12 sector is taking conversations like this. So I appreciate
13 my ability to talk to you and discuss this with you in
14 public. Thank you.

15 And thank you, Tom.

16 SECRETARY TORRES: Thank you.

17 DIRECTOR SNEDDEN: Thank you.

18 MAJORITY CHAIRMAN SAYLOR: I want to call on
19 Representative Patty Kim for any closing comments from the
20 other side.

21 REPRESENTATIVE KIM: Mr. Chairman, I just want to
22 thank Secretary Torres and his team for being here. I hope
23 everyone has a good afternoon.

24 Thank you.

25 MAJORITY CHAIRMAN SAYLOR: Thank you.

1 Mr. Secretary, the only comment -- and I've been
2 beating on this for years -- has been the concern I have for
3 seniors in Pennsylvania particularly in home care. One of
4 the things I've taken up with DHS many times is that seniors
5 are going into nursing homes that don't need to go there,
6 which is very expensive for Pennsylvania taxpayers. And not
7 only that, we know for a fact that seniors who are able to
8 stay in their home are healthier, more viable, live longer,
9 and save the Commonwealth a lot of money.

10 I just would like to see where your Department
11 can be influential at DHS and go through this process. You
12 know, you can be in a nursing home in 30 days in this
13 Commonwealth pretty much. The problem is it takes about six
14 months to stay at home. That's just ridiculous because when
15 that six months is up, those people have sold their home and
16 they are now sitting in a nursing home and there's no
17 reversing that.

18 So I just would like to see our system do more to
19 allow our seniors to stay at home and not have to go to a
20 nursing home. I spent a lot of time in nursing homes, as
21 most members do, with citations, recognizing 100th
22 birthdays, and there's a lot of them nowadays, which is
23 great. But so many of our seniors would prosper so much
24 better if we could keep them in their homes. So I just ask
25 you to do whatever you can to speed up that process of

1 letting them stay in their homes.

2 I know there's some Federal requirements that
3 play into this. But we have to do a better job for our
4 seniors in that way. And there's no blame. I'm not casting
5 any blame on anybody or any Administration at all. It's
6 just this is a frustrating point for many children who have
7 to put Mom or Dad or maybe the uncle or aunt in a nursing
8 home who really just need a little bit of help at home.

9 So I ask you just as the Secretary of Aging to
10 work with DHS to find a way to make this work for our
11 seniors in Pennsylvania.

12 And I also want to join with Patty Kim,
13 Representative Kim, to say thank you for you being here
14 today. I appreciate it. As you can see, all members on
15 both side of the aisle have a great care about seniors and
16 our programs that we offer for them.

17 Again, thank you, Tom. Thank you for your
18 longtime service to our Commonwealth as well and the rest of
19 you. Thank you, Mr. Secretary.

20 And with that, we will adjourn and reconvene
21 tomorrow morning at 10 a.m. with the Department of
22 Corrections.

23 Thank you, everybody.

24 SECRETARY TORRES: Thank you, Mr. Chairman.

25 DIRECTOR SNEDDEN: Thank you.

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DEPUTY SECRETARY HORNER: Thank you.
(Whereupon, the hearing concluded.)

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I hereby certify that the proceedings and
evidence are contained fully and accurately in the notes
taken by me on the within proceedings and that this is a
correct transcript of the same.

Jean M. Davis
Notary Public