



The New York State Senate Standing Committee on Aging

2017 LEGISLATIVE SESSION REPORT



Senator Sue Serino

CHAIR
AGING

COMMITTEE MEMBER
CHILDREN & FAMILIES

CULTURAL AFFAIRS, TOURISM, PARKS
RECREATION
EDUCATION
HIGHER EDUCATION
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January 3, 2018

Honorable John J. Flanagan
Majority Coalition Leader
New York State Senate
Albany, NY 12247

Dear Senator Flanagan:

As the Chair of the New York State Senate Standing Committee on Aging, I have had the unique opportunity to hear from constituents from all corners of New York State about the pressing questions and concerns related to our senior population. While issues related to the greying of New York have been emerging over time, I believe that we are at a critical juncture in the way that our State approaches delivering services, maintaining the highest standards of care and preserving the quality of life for our seniors. With that said, the Aging Committee has made significant progress in our advocacy for quality senior programming and assistance in our state.

During the 2017 session, the Senate Standing Committee on Aging considered legislation that touched on various aspects of the lives of New York's senior population including their health care, housing, banking, real property and criminal justice protections. We continued our work throughout the Executive Budget negotiations launching a unique public awareness campaign aimed at urging legislative leaders to 'Step Up for Seniors' and provide New York's seniors with the resources they need to live their lives to the fullest. As a result, we fully funded the Elderly Pharmaceutical Insurance Program (EPIC) to help seniors cover costs of prescriptions they depend on, as well as the State's Enhanced STAR school-tax rebate program. We also secured \$31 million to help better meet the growing demand for Community Services for the Elderly (CSE)—services that provide important programming for seniors throughout the State from meal delivery to transportation assistance—and we successfully secured funding to combat elder abuse and expand the very successful multi-disciplinary team model used across the State to combat elder abuse and financial exploitation.

In that vein, a legislative highlight of this year includes the passage of legislation that created a statewide hotline for the reporting of elder abuse. The legislation required that current State resources be expanded to provide for coverage of a hotline to report suspected abuse 24-hours-a-day, 7-days-a-week. This hotline is a significant first step in ensuring that these types of cases are handled in an efficient and effective manner, given the magnitude of the consequences of elder abuse in our elderly populations, unfortunately however, this bill was vetoed.

As the Chair of the Aging Committee, ensuring that our seniors have the resources they need to retire and thrive here in our state has long been one of my highest priorities. We have a duty to ensure that people who devoted their lives to our State have an opportunity to live with their families, at home, in the communities that they built for as long as possible. I look forward to continuing the important work of this Committee next session, and I invite you to review the latest legislative accomplishments and initiatives that we have worked hard to facilitate.

Sincerely,

A handwritten signature in cursive script that reads 'Sue Serino'.

Sue Serino
Chair, Senate Committee on Aging

Report of the New York State Senate
Standing Committee on Aging
Senator Sue Serino
Chair
2017

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Aging Legislation Considered by the Committee

Elder Abuse Prevention Legislation

S. 509 (Díaz) – Passed Senate: Amends the elder law to create the Financial Exploitation, Outreach, Education, and Training Program to be administered by the State Office for the Aging. The legislation also provides for outreach, education, and training for financial institutions in relation to financial exploitation.

S. 1093 (Valesky) – Passed Senate: Amends the Social Services Law and the Banking Law, in relation to authorizing banking institutions to refuse to disburse moneys in circumstances of the financial exploitation of a vulnerable adult.

S. 2136 (Serino/A. 7379 Lupardo) – Passed Senate: Requires the Commissioner of Health to develop a screening tool to identify abuse in elderly individuals that may be used by health care providers.

S. 2154-A (Serino/A. 8160 Lupardo) – Vetoed: Creates a statewide, toll-free hotline in the State Office for the Aging to receive reports of various forms of abuse regarding vulnerable adults. The hotline shall be operational twenty-four hours a day, seven days a week.

Housing & Real Property Taxes

S. 1665 (Golden/A. 3416 Cymbrowitz) – Passed Senate: Provides greater protections for the elderly by allowing them to save on state expenditures for the elderly by expanding the scope of the senior property tax exemption for house alterations made for the purposes of housing a senior or person with a disability.

S. 2568 (Helming) – Passed Senate: Amends the Real Property Tax Law, to clarify the term “income” and expand the categories of retirement income which are not included in the calculation of qualifications for the STAR exemption.

S. 2613 (Little/A. 2731 Crouch) – Passed Senate: Allows for the continuation of the STAR exemption for individuals upon the loss of a spouse who previously qualified for the program provided that the surviving spouse is at least sixty-two years of age or is physically disabled.

S. 2980 (LaValle/A. 2339 Thiele) – Passed Senate: Amends the Real Property Tax Law to authorize a tax exemption for senior citizen tenants residing in manufactured home parks in certain municipal corporations and school districts.

S. 4628-A (Savino/A. 7463-A Kavanaugh) – Chaptered: Amends the Real Property Tax Law to enhance the SCHE and DHE programs for cities with a population of one million or more and provide parity with the SCRIE and DRIE Program, by increasing the eligibility level.

S. 4712 (Klein/A. 2135 Dinowitz) – Passed Senate: Allows owners of co-op apartments, who are over the age of 70, the ability to obtain reverse mortgages, in a manner similar to the way

such reverse mortgages can be secured by the owner of a one to four-family owner/occupied residence or condominium unit owner.

S. 4732 (Larkin/A. 1603 Skoufis) – Chaptered: Amends the Real Property Tax Law, in relation to excluding annuity roll-over transfers from taxable income for seniors.

S. 5222 (Stavisky/ A. 3105 DenDekker) – Passed Senate: Amends the Real Property Tax Law to give municipalities that have rent controlled or rent stabilized dwelling units the power to extend the tax abatement law, which now applies only to senior citizens, to disabled veterans who qualify under the income eligibility provision.

Senior Programs

S. 507 (Díaz) – Passed Senate: Amends the elder law to authorize the State Office for the Aging to implement a caregiver support program for grandparents and other older relatives who are providing primary care for a child.

S. 2155-A (Serino/A. 8229 Lupardo) – Passed Senate: Establishes an economically sustainable transportation demonstration pilot program in five counties for senior residents.

S. 5415-A (Serino) – Passed Senate: Creates an interagency coordinating committee for streamlined services for the aging charged with creating a simplified application process for seniors in the state covering need-based programs.

S. 6023-A (Serino/A. 8105 Wallace) – Chaptered: Extends the authorization of the long term care ombudsman program to advocate on behalf of managed long term care participants until December 31, 2019.

Significant Legislation Passed by the Senate

Telehealth/Telemedicine – In June 2017, the Senate passed significant legislation (S. 4285-A Serino/A. 1464-B Jenne) that will dramatically increase access to healthcare for those in senior living residences. The legislation amended a 2015 law that provided for insurance coverage of telehealth and telemedicine services in New York State. As a result of this important law, those patients who needed to make trips to medical professionals could utilize technology to receive health care services – an important opportunity for those in rural communities, or for whom transportation is a challenge. The 2017 amendment, expanded the scope of this important initiative to add assisted living facilities, adult homes, continuing care retirement communities, and other senior living facilities to locations where patients could receive telehealth/telemedicine services. The bill passed the Senate and Assembly, and was signed into law by the Governor.

SSI Increase – Both the Senate and the Assembly passed legislation (S. 6732 Serino/A. 6715-B Brindisi) that would have increased the supplemental security income (SSI) rate for elderly and disabled individuals receiving enhanced residential care by a total of \$20 per day above the 2016 rate by 2022. Facilities that rely on such payments have been facing closures due to the rising

costs of care coupled with a largely stagnant SSI rate, and many displaced SSI recipients end up in nursing homes, which often have higher costs of care and housing. This bill was vetoed by the Governor however, citing a lack of an identifiable funding source.

Elder Abuse Package 2017 – In commemoration of World Elder Abuse Awareness Day, the Senate passed a package of bills aimed at protecting vulnerable seniors across New York State.

- Statewide Hotline for Abuse Reporting (S. 2154-A Serino/A. 8160 Lupardo) – would create a 24-hours-a-day, 7-days-a-week, statewide hotline for the reporting of abuse of vulnerable older New Yorkers to streamline and expand the current process and increase reporting of elder abuse.
- Prosecutorial Tools (S. 6022 Serino) – would give law enforcement increased authority to prosecute those who seek to steal from mentally impaired New Yorkers and seniors dealing with physical and mental infirmities.
- Pension Safeguards (S. 6431-A Serino/A. 8385 Abbate) – would better protect older New Yorkers from being taken advantage of by predatory companies offering advances on seniors’ pensions.
- Financial Exploitation Protections (S. 6650 Serino) – creates a public awareness campaign alerting New Yorkers to the various banking options available to them when opening accounts with banking institutions in order to protect their accounts from those seeking to exploit their finances.
- Transportation Pilot Programs (S. 2155-A Serino/A. 8229 Lupardo) – would establish a transportation pilot program that would allow seniors who no longer wish to drive to turn in their vehicles to be used for credits toward affordable, long-term transportation options allowing them to maintain their independence and mobility.

2017-2018 FY Aging Budget Highlights

Step Up For Seniors

In response to drastic aging cuts proposed in the 2017-2018 FY Executive Budget, the Legislature’s Aging Committees, under Chairs Senator Sue Serino and Donna Lupardo, organized a press conference to call on state leaders to prioritize senior needs and interests in the year’s State Budget. The press conference drew on aging advocates representing hundreds of New York’s seniors and spoke to the discrepancies between the cuts in state funding for senior services and programming, as compared to the growing senior population across the state.

The NYS Senate One-House Resolution

In response to Governor Cuomo’s proposed Executive Budget, the Senate Republican Conference introduced a Senate One-House Resolution in March 2017 that focused attention on the many aging programs that were slated to be cut or eliminated, and fought for additional funding to ensure that New York’s seniors would have the resources they needed to enable them to receive critical services and supports. Among the Senate’s top priorities were:

- Initiatives combatting the financial exploitation of vulnerable older adults;
- Increased funding for the Community Services for the Elderly Program (CSE);
- Monies for increased and flexible transportation options for seniors; and

- Increased monies dedicated to combatting elder abuse and expanding key programs in the State including multi-disciplinary teams.

Enacted 2017-2018 FY Executive Budget

- STAR and Enhanced STAR: This year, more than \$2.7 billion will go toward funding these critical programs that provide significant tax relief for families and seniors each year;
- Elderly Pharmaceutical Insurance Coverage (EPIC): This year’s budget provides \$131.5 million to fully fund this program that helps cover the prescription drug needs of countless seniors;
- Alzheimer’s Programs: This year’s budget builds on last year’s historic commitment and dedicates \$26.6 million to combat this debilitating disease;
- New York Foundation for Seniors Home Sharing and Respite will receive almost \$200,000;
- Expanded In-home Services for the Elderly Program will receive \$50 million;
- Wellness in Nutrition Program will receive \$27 million;
- Older Adults Technology Services will receive \$250,000;
- Senior Action Council Hotline will receive almost \$65,000; and
- Increased funding for Community Services for the Elderly in the amount of \$30.4 million.

Importantly, the Budget also committed \$700,000 to support elder abuse prevention initiatives. Of this money, \$500,000 is specifically targeted at expanding the successful multi-disciplinary team approach to combatting abuse and financial exploitation.

Roundtable Discussions & Notable Events

Elder Abuse Prevention Public Hearing

In her capacity as Chair of the Senate Aging Committee, Senator Serino organized a hearing with Assembly Committee on Aging Chair Donna Lupardo to consider important issues surrounding the epidemic of elder abuse in New York State. State agency heads as well as advocates from the financial industry, law enforcement, and elder justice organizations testified at the February hearing regarding recommendations for State improvements as well as the devastating impacts that these underreported crimes continue to have. To view the hearing please visit:

<https://www.nysenate.gov/calendar/public-hearings/february-28-2017/education-awareness-and-prevention-elder-abuse>

Older New Yorkers Day

On May 9, the Senate joined the State Office for the Aging in commemorating, “Older New Yorkers Day” with an event recognizing notable seniors from across that state that had made significant contributions through work and volunteerism. The event included representatives from the New York State Office for the Aging, the Assembly, and nearly 100 older New Yorkers who made the trip to Albany to be recognized by legislative leaders for their volunteerism and continued contributions to the state

World Elder Abuse Awareness Day

World Elder Abuse Awareness Day was observed worldwide on Thursday, June 15, 2017. A resolution sponsored by Senator Serino recognizing the day was passed by the Senate, along with a package of significant legislative initiatives aimed at putting an end to elder abuse.



New York State Senator Sue Serino

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