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# REPORT OF THE NEW YORK STATE SENATE STANDING COMMITTEE ON AGING

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Senator Sue Serino, Chair

DECEMBER 1, 2018  
NEW YORK STATE SENATE

CHAIR  
AGING

COMMITTEE MEMBER  
CHILDREN & FAMILIES

CULTURAL AFFAIRS, TOURISM, PARKS  
RECREATION  
EDUCATION  
HIGHER EDUCATION  
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JUDICIARY  
MENTAL HEALTH &  
DEVELOPMENTAL DISABILITIES

THE SENATE  
STATE OF NEW YORK



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December 18, 2018

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

Dear Senator Flanagan:

I would like to share with you the Report of the New York State Senate Standing Committee on Aging. The New York State Senate has continued its commitment to making New York a place that seniors can age in place, at home and in their communities. In 2017, New York had the fourth largest population of persons 60 years of age and older, and it's expected that more than 50 counties in the state will have more than a quarter of their population falling in that age range. Of particular concern is that the aging population is outpacing the overall population in many communities throughout the state, especially in upstate where the overall population is either stagnant or decreasing in most counties. With this in mind, it is more critical now than ever that we take steps necessary in order to ensure we are meeting the needs of our aging population.

This past session, the Aging Committee has advanced legislation that seeks to combat elder abuse, address many of the housing and real property tax issues that seniors face, establish programs to serve New York's seniors and ensure they have the critical services they need, among other notable causes. During budget negotiations, we were able to make a significant first step in expanding the Adult Protective Services Hotline by extending the hours operation three hours each weekday so that they can receive calls outside of regular business hours, a significant step forward as we work to ultimately expand the hotline's operating hours to 24/7. Although it was not included in the final enacted budget, the Senate also demonstrated our commitment to improving affordability for seniors by including provisions to freeze, and eventually eliminate, school property taxes for eligible seniors in the One-House Budget Resolution. It is my hope that we can build on, and continue to advocate for, these measures, as well as others highlighted in this report in our effort to make New York a state that provides for our seniors, who have contributed so much to our state throughout the years.

I would like to thank you for again allowing me the opportunity to serve as the Chair of the Committee on Aging, and I would like to thank my colleagues on the committee and in the Senate for joining me in fighting for our seniors.

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  
2018

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## **Table of Contents**

<b>Aging Legislation Considered by the Committee .....</b>	<b>4</b>
Elder Abuse Prevention Legislation.....	4
Housing & Real Property Taxes.....	4
Senior Programs .....	5
<b>Significant Legislation Passed by the Senate.....</b>	<b>6</b>
<b>2017-2018 FY Aging Budget Highlights.....</b>	<b>6</b>
<b>Roundtable Discussions &amp; Notable Events.....</b>	<b>7</b>

## **Aging Legislation Considered by the Committee**

### *Elder Abuse Prevention Legislation*

S2758A (Serino/A7589 Lupardo) – **Advanced to 3<sup>rd</sup> Reading:** Relates to enacting additional conditions on authorized lenders of reverse mortgages

S6736 (Valesky/A6009-A) – **Advanced to 3<sup>rd</sup> Reading:** Relates to the role of banking institutions in protecting vulnerable elderly persons from financial exploitation

S8533 (Serino) – **Passed Senate:** Relates to directing a report regarding calls received during extended hours of the Adult Protective Services line

### *Housing & Real Property Taxes*

S2568 (Helming/A9575-A Englebright) – **Advanced to 3<sup>rd</sup> Reading:** 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.

S2613-A (Little/A2731-A 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.

S2980-A (LaValle/A2339-A Thiele) – **Reported and Committed to Finance:** 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.

S3195 (LaValle/A2533 Englebright) – **Passed Senate:** Establishes a capped property school tax rate for persons seventy years of age or older who meet the eligibility requirements for the enhanced STAR exemption

S6058-A (Golden/A7537-B Skoufis) – **Reported and Committed to Finance; Reported and Committed to Rules:** Relates to the definition of income in relation to the enhanced STAR exemption

S7057 (Golden/S8424 Abbate) – **Advanced to 3<sup>rd</sup> Reading:** Relates to establishing a maximum rent of one-third of household income for the senior citizens rent increase exemption and disability rent increase exemption

S7707A (Lanza/A3061 DenDekker) – **Advanced to 3<sup>rd</sup> Reading:** Authorizes and directs the department of health and the office for the aging to conduct a study of fees and charges assessed to residents of assisted living facilities

S7139 (Griffo/A10775 Stirpe) – **Passed Senate:** Provides a filing extension for the "enhanced" STAR exemption to eligible applicants

S7696 (Ranzenhofer) – **Advanced to 3<sup>rd</sup> Reading**: Authorizes a property tax cap for persons over seventy years of age

Senior Programs and Services

S225 (Golden/A949 Simon) – **Reported and Committed to Finance**: Establishes an Alzheimer's disease outreach and education program

S2155-B (Serino) – **Passed Senate**: Establishes an economically sustainable transportation demonstration pilot program in up to five counties for senior residents.

S2236 (Parker/A9660 O'Donnell) – **Reported and Committed to Finance**: Expands volunteerism by making use of the databases of statewide aging organizations and institutes volunteer certificate programs

S3585 (Comrie/A633 Dinowitz) – **Reported and Committed to Finance**: Provides for the creation of a drug guide for seniors regarding the drugs commonly used by people over 62 years of age

S4555 (Golden/A6026 Lupardo) – **Chapter 360 of the Laws of 2018**: Makes certain tax abatement forms more readily available to seniors and authorizes certain entities to assist in the completion of such forms

S4567 (Golden/A6037 Lupardo) – **Chapter 464 of the Laws of 2018**: Relates to outreach, status and time limits relating to the tax abatement program

S5415-A (Serino) – **Reported and Committed to Finance**: 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.

S6961 (Alcantara/A3627 Dinowitz) – **Advanced to 3<sup>rd</sup> Reading**: Relates to requiring renewal notices for applications under the SCRIE program

S7222 (Peralta/A10575 D. Rosenthal) – **Reported and Committed to Finance**: 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.

S7744 (Serino) – **Advanced to 3<sup>rd</sup> Reading**: Relates to the duty of office for the aging to provide certain information relating to services through electronic means

S7825 (Ortt) – **Reported and Committed to Finance**: Relates to the Bolstering Online Opportunity, Modernizing Economic Readiness, and Teaching the Elderly Computers Act or the BOOMER TEC Act

S7949-B (Serino/A10069-A) – **Passed Senate**: Relates to establishing the aging in place council

S8739 (Sepulveda/A3958 Dinowitz) – **Chapter 309 of the Laws of 2018**: Requires the provision of guides containing best practices for retaining employees who are informal caregivers

### **Significant Legislation Passed by the Senate**

Adult Protective Services Hotline Report – Building on the extension of the Adult Protective Services Hotline operating hours and continuing to advocate for a 24/7 hotline, the Senate passed a bill (S7557 Serino/A9845 Lupardo) to require the hotline to accept calls 24-hours-a-day, 7-days-a-week. A similar bill passed both houses in 2017; however it was vetoed by the Governor, citing a lack of an identifiable funding source.

### **2018-2019 FY Aging Budget Highlights**

#### The NYS Senate One-House Budget Resolution

The New York State Senate One-House Budget Resolution In response to Governor Cuomo’s proposed Executive Budget, the Senate Republican Conference introduced a Senate One-House Resolution in March 2018 that aimed to protect older New Yorkers, ensure they have the resources and services necessary to age in place, and provide critical tax relief to make New York more affordable. Among the Senate’s top priorities were:

- Initiatives combating the abuse and financial exploitation of vulnerable older adults;
- Increasing funding for the Community Services for the Elderly Program (CSE);
- Expanding the Adult Protective Services Hotline to operate 24/7;
- Freezing school property taxes at current levels for eligible seniors and reducing them over the next 10 years until they are eliminated; and
- Increasing the state Supplemental Security Income allowance for individuals living in enhanced residential facilities by providing \$20 million in funding.

#### Enacted 2018-2019 FY Executive Budget

- STAR and Enhanced STAR: The Senate ensured the rejection of the Governor’s proposed cap on STAR property tax relief benefits, saving \$49 million, while extending the property tax rebate program so that rebate checks will double for many, averaging \$380 this year and \$532 next year. The state also provided \$865 million to fully fund Enhanced STAR school tax relief program for seniors.
- Elderly Pharmaceutical Insurance Coverage (EPIC): This year’s budget provides \$132.6 million to fully fund this program that helps cover the prescription drug needs of countless seniors;
- Alzheimer’s and other Dementia Related Programs: The state continues its historic commitment to combating this debilitating disease by again dedicating nearly \$27 million toward this effort;
- Community Services for the Elderly Program will receive \$31 million;
- Expanded In-home Services for the Elderly Program will receive \$50 million;
- Wellness in Nutrition Program will receive \$27 million;
- Makes the Residential Emergency Services to Offer Home Repairs to the Elderly (RESTORE) program permanent and funding it with \$1.4 million

- Farm-to-Seniors Program will receive \$500,000
- Older Adults Technology Services will receive \$250,000;
- Senior Action Council Hotline will receive \$132,000; and
- New York Foundation for Seniors Home Sharing and Respite will receive \$86,000.

The Senate also ensured the inclusion of \$1.2 million to support elder abuse prevention initiatives. As a significant step forward, the Senate also successfully fought to include over \$300,000 for a three-hour extension of the Adult Protective Services Call Center hours to receive calls after regular business hours on weekdays—this follows last year’s veto of legislation that would have required the hotline to run 24/7.

### **Notable Events**

#### Older New Yorkers Day

In conjunction with the observance of May being declared as National Older Americans Month, nearly 100 older New Yorkers from around the state made the trip to Albany on May 22<sup>nd</sup> to join the Senate, Assembly and the State Office for the Aging in commemorating, “Older New Yorkers Day.” Each of these seniors recognized at the event were honored for their notable community service initiatives and each body of the Legislature recognized a distinguished senior for their commitment and dedication to serving as active and vital participants in their communities and of the state. Resolutions sponsored by Senator Sue Serino and Assemblywoman Donna Lupardo, J4907 and K1213, were passed in the Senate and Assembly, respectively to commemorate the occasion.

#### Alzheimer’s and Brain Awareness Month

On June 6, the New York State Senate passed a resolution recognizing June as Alzheimer’s and Brain Awareness Month in the State of New York, coinciding with the Alzheimer’s Association’s national campaign. The resolution, J5108, was sponsored by Senator Serino, and a corresponding resolution sponsored by Assembly Member Matthew Titone, K1311, was passed in the Assembly as well to mark the occasion and to raise awareness of this serious health issue.

#### World Elder Abuse Awareness Day

World Elder Abuse Awareness Day was observed worldwide on June 15. Resolutions sponsored by Senator Patrick Gallivan and Assemblywoman Lupardo, J3906 and K1371, respectively, recognizing the day were adopted in the New York State Senate and Assembly to help raise critical awareness for this all too pervasive problem.