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**Tenth Annual Report
of the Committee
to Conduct Continuing Studies
of Public and Private Services,
Programs and Facilities
for the Aging in
South Carolina**

June, 1979

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TENTH ANNUAL REPORT OF THE COMMITTEE TO CONDUCT
CONTINUING STUDIES OF PUBLIC AND PRIVATE SERVICES,
PROGRAMS AND FACILITIES FOR THE AGING

INTRODUCTORY STATEMENT

*To: The Honorable Richard W. Riley, Governor of South Carolina
and Members of the General Assembly of South Carolina:*

The Committee on Aging is pleased to transmit herewith its annual report. The Committee feels that it has effectively fulfilled its mandate. It has endeavored to advance the cause of the elderly through desirable legislation and necessary funding.

Evidence of the Committee's usefulness may be inferred from the fact that H. 3247 provided permanent status. The Committee functions on a modest appropriation, and its success has been due in considerable part to much voluntary assistance from staff members of other committees and agencies.

The object of the Committee has been not only to provide material assistance, but also to develop through education a climate of respect for older people and a momentum for activity from all quarters, governmental and the private sector.

It is significant that more officials and citizens are tuned in to the problems of the elderly, and it is gratifying that in many incidences legislation initiates independently from individual members of the General Assembly.

We are particularly pleased that in the past year the Homestead Exemption was raised from \$10,000 to \$12,000 and was extended to city residents. Efforts to increase the amount from \$12,000 to \$15,000 have not yet been implemented, but it is encouraging that the Senate Finance Committee in its 1979-80 Appropriation Bill included a statement of intent for this to be implemented in the fiscal year 1980-81. We feel confident that this will be accomplished.

The Committee—along with others—has been at the forefront in recognizing that the thrust of the future is toward expansion of coordinated noninstitutional health care services such as home health services as against emphasis on institutional care. An increase in the appropriation for carrying on the Community Long Term Care Project was approved in the Senate Finance Committee version of the Appropriation Bill.

The House Ways and Means Committee, in its version of the Appropriation Bill, approved an increase in the Medicaid income limitation to the federal limit of \$568. Accordingly, within a two-year period this income limitation has been raised from \$335 to \$568. It is anticipated that this will be sustained in the Appropriation Bill process. Many of our citizens who earn more than the \$568 are caught in a desperate bind when they have no alternatives other than institutional care. This issue can be addressed by a "medically needy" program.

During the past year Sarah C. Shuptrine who so ably served the Committee as the Director has accepted a position in the Governor's Office as Director of Health and Human Services, and we are very fortunate to have as her able successor Keller H. Bumgardner.

Progress begets progress, and we are confident that many other gains can be achieved for our elderly so that to the end the older years can be years of comfort, prosperity and happiness.

Respectfully submitted,

/s/ HYMAN RUBIN, Chairman <i>Senator</i>	/s/ HUDSON L. BARKSDALE <i>Representative</i>
/s/ PATRICK B. HARRIS, Vice Chairman <i>Representative</i>	/s/ H. PARKER EVATT <i>Representative</i>
/s/ T. DEWEY WISE <i>Senator</i>	/s/ REVEREND JAMES ALEWINE <i>Gubernatorial Appointee</i>
/s/ JOHN H. WALLER, JR. <i>Senator</i>	/s/ MRS. JUNE B. FURMAN <i>Gubernatorial Appointee</i>
	/s/ DR. JULIAN PARRISH <i>Gubernatorial Appointee</i>

Director of Research and Administration

Keller H. Bumgardner
S. C. Study Committee on Aging
P. O. Box 142, 404 Gressette Building
Columbia, South Carolina 29201

A BRIEF HISTORY

The Committee—known for convenience as the "Study Committee on Aging"—was formed in 1969 (Concurrent Resolution No. 1286).

The Resolution called attention to the growing numbers and proportion of older citizens in South Carolina, and to their problems of income, health and lack of opportunity to remain active and involved

in the life of their state. It also made note that the 1971 White House Conference on Aging was in the planning stage, and there was a need for South Carolina to be prepared to make a substantial contribution to the success of the conference.

The Committee was directed to study the laws of the State relating to the aging, and determine whether or not such laws were being carried out; and moreover the Committee was directed to recommend any further legislation deemed necessary.

This the Committee has done, under authority of continuing resolutions each year, until it was given permanent status in 1978 when the General Assembly found that the Committee "fulfills a necessary and continuing legislative need and that the functions of the Committee can be more properly fulfilled by a permanent Committee."

A summary of legislation successfully sponsored by the Committee is included in this report.

LEGISLATIVE PRIORITIES, 1979

As a result of its own studies, and expressions of opinion received at well-attended public hearings in Charleston and Columbia during late 1978, the Committee drafted the following list of legislative priorities for attention during the 1979 session of the General Assembly:

- Increase homestead tax exemption to \$15,000. Modify the provision which denies the exemption if taxes are not paid before penalty date. (Bills filed).
- Sponsor constitutional amendment to permit the General Assembly to freeze homestead taxes of persons eligible for the homestead exemption at the 1981 level; or in future at level of year the taxpayer becomes eligible. (Bills filed).
- Allocate \$35,000 for retirement system to begin pre-retirement education program for members of State Retirement System. (Bills filed).
- Increase Medicaid "cap" from \$410 to \$568, the present federal limit.
- Increase fee schedule for support of persons in residential care facilities from \$277 to \$325; this would include an increase in the individual's personal needs allowance from \$15 to \$25.
- Increase funds which the Commission on Aging passes on to local service areas from \$425,000 to \$500,000.

- Increase state park fee exemption for persons 65 and older from 50 percent to 100 percent. Cabin rentals not involved. (Bills filed).
- Restore \$35,000 cut in DHEC's Home Health Care Program. May possibly request additional appropriation to expand services.
- Continue a 4 percent cost-of-living increase in retirement pay for state employees and teachers for another year, FY 1979-80.
- Continue support for Community Long Term Care Project in DHEC's budget.
- Seek to place at least two consumers on each state licensing board.
- Improve hearing aid dealer licensing law to provide for trial period for equipment.
- Attempt, through a subcommittee, to increase church involvement in aging affairs.
- Reintroduce South Carolina Natural Death Act which allows optional procedure for withdrawal or withholding of life sustaining equipment in the event of terminal illness. (Bills filed).

LEGISLATIVE RECOMMENDATIONS OF THE STUDY COMMITTEE ON AGING FOR THE 1979 SESSION

<i>Description</i>	<i>House</i>	<i>Senate</i>	<i>Status as of 5/30/79</i>
To provide for one application for county and municipal homestead taxes to be filed with county auditor.	H. 2088	H. 171	Passed by Senate 2/1 Returned to Senate from House w/ amendments Senate Non-Concurrence
NOTE: Proviso to cover this to be included in Senate version of Appropriation Bill.			3/6 Conference Committee meeting 3/14 Conference Committee second meeting Conference Report not achieved.
For homestead tax exemption eliminates late payment of taxes prior to March 15 as cause for denying the exemption.	H. 2091	S. 51	Passed by Senate and added to Conference Report on S. 171
Increases the homestead tax exemption from \$12,000 to \$15,000, both county and municipal.	H. 2090	S. 52	Included in Senate Finance Committee version of Appropriation Bill for implementation in 1980-81

Description

Proposes a constitutional amendment to allow the General Assembly to limit taxes on property qualified for the homestead exemption.	H. 2089	S. 50	S. C. Attorney General's opinion states this proposed bill would be unconstitutional.
Establish a state retirement education program for members of the State Retirement System.	H. 2087	S. 49	\$35,000 to State Retirement Commission and \$10,000 for pre-retirement newsletter included in House Appropriation Bill and sustained by Senate Finance Committee.
To allow for free admission to state park facilities (excluding cabins) for citizens 65 and over, blind and disabled and to continue half-price fee for campsites.	H. 2310	S. 231	Senate passed S. 231 , House Ways and Means reported out favorable 5/29.
To allow withdrawal or withholding of life-sustaining equipment in the event of terminal illness—S. C. Natural Death Act.	H. 2282	S. 166	House Judiciary Senate Medical Affairs Reported out favorable w/amendments 2/21. Passed Senate; referred to House Judiciary. Public hearing held before subcommittee of the House Judiciary 4/5.

Passed
R.178

OTHER CONCERNS OF THE COMMITTEE

1. The Committee requested that the following items be included in the 1979-1980 Appropriation Bill:

- Increase in Medicaid Income Limitation from \$410 per month to \$568 per month. \$624,60
- Increase fee schedule for support of persons in residential care facilities from \$277 per month to \$325 per month. This would include an increase in the individual's personal needs allowance from \$15 to \$25 per month.
- Increase funds which the Commission on Aging passes on to regional services for the aging from \$425,000 to \$500,000.
- Restore \$35,000 cut from one Health Care Program funds of the Department of Health and Environmental Control.

STATUS (5/30/79): Included in House Appropriation Bill and sustained by Senate Finance Committee.

- Increase funds for Community Long Term Care Project in DHEC's budget to \$346,000.

STATUS (5/30/79) : Included by Senate Finance Committee.

—Continue a 4 percent cost-of-living increase in retirement pay for state employees and teachers for another year, FY 1979-80.

STATUS (5/30/79) : Included in House Appropriation Bill and increased to 6 percent by Senate Finance Committee.

2. Support legislation to place at least two consumers on each state licensing board.

STATUS (5/30/79) : Legislation to provide for the addition of members to various boards has been reported out by the Medical, Military, Public and Municipal Affairs Committee of the House and is on contested House Calendar for second reading.

3. Support Legislation for utilization of school and other community facilities for the needs of the community.

STATUS (5/30/79) : Bill to provide for transportation of the elderly on public school buses, H-2412, passed by House and referred to Senate Finance Committee.

OTHER MAJOR ACTIVITIES

Public Hearings

The Committee conducted two public hearings prior to the 1979 session of the General Assembly, one in Charleston Sept. 29, 1978, the other in Columbia Oct. 20, 1978. Eleven persons representing various interests presented statements at the Charleston hearing, while 22 persons were heard at the Columbia hearing. In addition, several written communications were sent to the Committee for its consideration.

Minutes of the hearings are available for inspection at the office of the Committee, 404 Gressette Building, Columbia, S. C.

Facts and opinions presented by interested parties at public hearings are considered by the Committee in shaping its legislative priorities and recommendations.

Committee and Staff Liaison Activities

Members of the Committee and/or its staff members were active throughout the year making contacts, attending conferences or serving as advocates or information resource people in other ways. They attended meetings of the following Legislative committees:

Health Care Planning and Oversight Committee
 Long Term Care Policy Council
 Study Committee on Problems of the Handicapped
 Transportation Study Committee

Committee personnel also attend sessions of the following organizations interested in Aging:

American Association of Retired Persons/National Retired Teachers Association
 S. C. Commission on Aging, board and committees.
 S. C. Federation of Older Americans/Legislative Forum
 S. C. Gerontological Society

In contact with federal officials, Committee personnel met in Washington in October 1978 with staff members of the House Select Committee on Aging and the Senate Special Committee on Aging the Health Care Financing Administration, Medicaid Bureau of Health, Education and Welfare and the Federal Trade Commission. The status and programs for older people in South Carolina were presented and problems raised by some federal regulations were discussed.

Other public presentations are made frequently by the Committee and staff members to large and small groups, public and private conferences, task forces, committees, workshops, board and forum meetings.

Background information about legislative issues, bibliographies, agency materials, bills and acts are distributed and referrals made to the Governor's office, Commission on Aging, other committees and state agencies.

Senior Intern Selection

At the request of Senator Ernest F. Hollings, the Committee compiled a list of nominees for the Washington D. C. Senior Intern Program held annually in the spring. Mr. Claude R. Vaughn of Columbia was chosen by Senator Hollings to participate in the program in 1978, and Miss Carolyn G. Richardson of Orangeburg in 1979.

Committee Newsletter

The Committee began publishing a newsletter, "Update", during the 1979 session and distributing it to interested persons to keep them abreast of legislative developments of concern to older people and those working in their behalf. Ms. Lorraine Callison, a legislative intern, prepared this publication.

Community Long Term Care Project

The Committee was a leading force in establishing a Community Long Term Care project in the counties of Spartanburg, Union and Cherokee. This project, funded by the 1978 General Assembly in the amount of \$125,000, is now approaching its action phase which will begin July 1. A summary of this important project follows.

One of the problems facing South Carolina is similar to that of many other states—a growing population of chronically ill and disabled citizens, many of whom are elderly, and the escalating costs of meeting the health needs of this population when the emphasis is on institutional care.

Both the legislative and executive branches of South Carolina's State Government have recognized the many concerns of the state's elderly and disabled citizens. The commitment to finding better solutions is reflected in legislative action in the 1978 session of the General Assembly. The State Appropriation Bill provided for (1) a Long Term Care Policy Council composed of the Governor or his designee, the Commissioner of the Department of Social Services, the Commissioner of the Department of Health and Environmental Control, the Commissioner of the Department of Mental Health and the Director of the Commission on Aging; (2) A Legislative Committee Advisory to the Council whose membership includes the Chairman of the Senate Medical Affairs Committee, the House Medical Military, Public and Municipal Affairs Committee, the Study Committee on Aging, the Nursing Home Study Committee, the Study Committee on the Handicapped, the Study Committee on Mental Health and Mental Retardation, and a member of the State Reorganization Commission; and (3) a pilot project for community-based services.

The operational phase of the project is projected to begin July 1, 1979. The anticipated products of the project are:

1. A community network of services that support the efforts of impaired and disabled individuals and their families to live satisfying lives in their communities. The network should have a self-sustaining structure without the need for a separate coordinating agency.
2. Sound information for policy decisions by the state.
3. An on going system for dissemination of project findings.

Before policy decisions are made to shift the state's emphasis to community-based care for long-term health problems, important questions need to be answered:

- (1) What needs does the State intend to be met under the rubric of LTC programing?
- (2) What organization and management systems changes are required for optimally meeting the needs?
- (3) What are financing alternatives for optimally meeting the needs?

The project itself is a means of seeking answers to these questions and testing those answers on a small scale before any long range state policy is formulated. The composition of the policy council and its advisory committee recognizes the interdependent nature of the decisions that will be taken.

The model for the project's operation is one of minimal staff to facilitate collaboration among resources within each community in planning for the needs of its citizens. The planning calls for a community advisory group in each of the three counties in the project area as the key mechanism for identifying community needs and resources.

The project staff's functions will include assessment of persons potentially in need of long-term care both to specify their health and supportive needs and to link them to appropriate services. Persons potentially in need of long term care may be referred by physicians, existing agencies, community groups, families, or themselves. Project staff will develop service agreements with existing agencies, both official and voluntary, volunteer and civic groups, health care institutions and individuals interested in providing community based services.

Funds designated for the project will be used in several ways:

1. To develop and pay for services not possible or feasible through existing payment sources or volunteer efforts.
2. To support the core project staff functions for the life of the project.
3. To support research and evaluation that will assist decision-makers—both legislative and executive—in translating project findings into policy decisions.

SUMMARY OF LEGISLATION AND RECOMMENDATIONS
PREVIOUSLY RECOMMENDED BY THE STUDY
COMMITTEE ON AGING WHICH HAVE BEEN
IMPLEMENTED

Homestead Tax Exemption

Homeowners who are 65 or older and have resided in the state for at least one year receive the benefits of a homestead tax exemption which provides that the first \$12,000 of the fair market value of the dwelling place shall be exempt from municipal, county, school and special assessment real estate property taxes (Code 12-37-250, \$12,000—1978, \$10,000—1971). Counties are reimbursed by the state for losses they incur by reason of granting the exemption. (Code 12-37-270, 1978.) Reapplication can be made by mail. (Code 12-37-290, 1974).

Regulation of Nursing Homes

Nursing homes at all levels of care are strictly regulated and inspected by DHEC (Code 43-37-20, 1977). In addition, the Governor's staff includes a Nursing Home Ombudsman who receives complaints or reports concerning patient care and who investigates and seeks to resolve any problems that may appear (Code 43-37-10, 1977). Skilled nursing homes, intermediate care facilities and residential care facilities are now required to provide on request an item-by-item billing of all charges for all services to the patient or person paying the bill. (Code 43-27-140, 1975).

Cost-of-Living Increases in Retirement Benefits

Teachers, state employees and other public workers covered by the South Carolina Retirement System receive increases in benefits, not to exceed four percent, when the cost of living rises. (Code 9-11-310, 1974).

Fitting and Selling of Hearing Aids Regulated

South Carolina statutes govern the licensing of persons who fit and sell hearing aids, and regulate the manner in which they conduct their business. (Code 40-25-40, 1971, 1972, 1978).

Establishment of State Housing Authority

A State Housing Authority has been established. Its purpose, among others, is to encourage the growth of specialized housing for the elderly. (Code 31-3-110, 1971).

Tax Exemption for Nonprofit Housing for the Elderly

Private, nonprofit organizations are exempt from real estate taxes on property used as specialized housing for the elderly. (Code 12-37-220, 1971).

State Agency on Aging Given Commission Status

The Interagency Council on Aging has been reorganized and designated as the Commission on Aging. (Code 43-21-10, 1971).

Establishment of Hypertension Screening Clinic

The Department of Health and Environmental Control has established a network of Hypertension Screening and Treatment Clinics throughout the state to detect and treat hypertension (high blood pressure). These clinics were funded by a Committee on Aging amendment request to the 1974 Appropriation Bill. This condition, often symptomless, occurs more than twice as often among people aged 65-80 than in the population as a whole.

Allowance of Reciprocal Agreements Between States Regarding Retirement Income

South Carolina can now enter into a reciprocal agreement with another state to refrain from taxing retirement income. (Code 12-7-565, 1976)

Establishment of a Monetary Penalty System for Health Care Facilities

A monetary penalty system has now been established for the violation of licensing standards in hospitals, nursing homes and intermediate care facilities. (Code 44-7-360, 44-7-370, 1976)

Establishment of Licensing Authority for Adult Day Care Facilities

The licensing authority for adult day care facilities has now been established under the Department of Health and Environmental Control. (Code 44-65-10, 20, 30, 40, 50, 60, 70, 80, 90, 100, 110, 1975)

Establishment of the Community Education Advisory Council

The Community Education Advisory Council has now been established to promote and coordinate the utilization of school and other community facilities for the needs of the community. (Code 59-44-50, 1976)

Establishment of a Retirement and Pre-Retirement Advisory Board

A Retirement and Pre-Retirement Advisory Board has been established to review retirement and pre-retirement programs and policies, propose recommendations and identify major issues for consideration. Two of the members of the eight-member Board shall be retired. (Code 9-2-10, 20, 30, 40, 50, 1976)

Free Tuition for Elderly South Carolinians at State Educational Institutions

State-supported colleges, universities and technical schools may now permit South Carolina residents at least 60 years of age to attend classes on a space available basis without payment of tuition. (Code 59-111-320, 1974, 1978)

Adult Abuse and Protection Act

A Bill has been enacted into law to prohibit the abuse, neglect or exploitation of a senile or developmentally disabled person and to provide protective services for such a person. This Act has been strengthened since its original passage. (Code 43-29-40, 43-29-50, 1974 and 1976)

Retirement After 30 Years of Service

Members of the South Carolina State Retirement System may now retire at 65 years of age or after 30 years of service. (Code 9-1-1510, 1975)

Removal of Reference to Age as a Qualification to Serve on a Jury

The South Carolina Code has been amended to eliminate a reference to age as a qualification to serve on a jury. (Code 14-7-140, 1974)

Creation of a Long-Term Care Division

A Long-Term Care Division has now been established within the S. C. Department of Mental Health and is under the direction of a deputy commissioner. (Code 44-9-50, 1976)

Exemption from Sales Tax on Prescription Drugs and Prosthetic Devices

In 1973, the General Assembly passed legislation to exempt those 65 years of age and older from paying tax on prescription drugs and prosthetic devices. This law was amended in 1974 to reduce the age to 50 and in 1976, tax on prescription drugs was repealed. (Code 12-35-560)

Half-Price Admission to Certain State Park Facilities

South Carolinians aged 65 or older are granted half-price admission to state park facilities, except cabin rentals. (Code 51-3-60, 1973, 1975)

Free Hunting and Fishing Licenses

Residents of South Carolina for at least one year who are 65 or older are eligible for free hunting or fishing licenses from the Department of Wildlife and Marine Resources. (Code 50-9-840, 1978)

AREAS OF FUTURE STUDY AND CONCERN

1. State Medicaid Program including eligibility standards, alternatives to institutionalization and "medically needy" program.
2. Inclusion of consumer representation on all boards and commissions which deliver services to older citizens.
3. Expansion, coordination and improvement of community supportive services for older citizens, including multi-service senior centers.
4. Retirement benefits, including continued cost-of-living increases for State retirees.
5. State mandatory retirement laws.
6. Inclusion of home health benefits as a mandatory service under State insurance laws; regulation of Medicare supplemental insurance.
7. Improved transportation program.
8. Mental health support for the elderly.
9. Passage of a Uniform Probate Code.
10. Hospice concept of care for the terminally ill.

APPENDIX

STATEMENT BEFORE SOUTH CAROLINA
DEPARTMENT OF INSURANCE CONCERNING
"MEDI-GAP" REGULATIONS

A public hearing was held May 22, 1979, by the S. C. Department of Insurance regarding Proposed Regulation 69-17.1: Marketing of Medicare Supplemental Accident and Health Insurance Policies.

These regulations are to address the abuses associated with the sale of policies to supplement the difference between Medicare coverage and actual expenses. This coverage is commonly known as "Medi-gap" insurance.

The Commission on Aging did an analysis of the regulations as proposed and concluded that although they are a good beginning, they do not go far enough. Issues not covered are standardization, loss ratio, sales to Medicaid recipients, readability and a disclosure requirement which would compare Medicare benefits with policy benefits and expenses not covered.

Keller H. Bumgardner, Director of the Study Committee, made a statement in support of the recommendations by the Commission on Aging.