

Aging and Disability Resource Center Governing Boards

Aging and Disability Resource Centers (ADRCs) are required to have a governing board that enables the consumers of ADRC services to have a voice in the direction of their local ADRC in meeting its local long term care needs. These boards are required to perform specific functions related to the policies and operation.

This version of Information Bulletin #16 replaces all previous versions on this topic. This bulletin clarifies the requirements for client group representation on the governing boards and explains the options for combining Commission/Committee on Aging with the ADRC governing board.

Statutory authority is provided under s. 46.283(6):

46.283 (6) Governing Board. (a)

1. A resource center shall have a governing board that reflects the ethnic and economic diversity of the geographic area served by the resource center.
2. At least one-fourth of the members of the governing board shall be individuals who belong to a client group served by the resource center or their family members, guardians, or other advocates. The proportion of these board members, who belong to each client group, or their family members, guardians, or advocates, shall be the same, respectively, as the proportion of individuals in this state who receive services under s.46.2805 to s.46.2895 and belong to each client group.
3. An individual who has a financial interest in, or serves on the governing board of, a care management organization or an organization that administers a program described under s. 46.2805 (1) (a) or (b) or a managed care program under s. 49.45 for individuals who are eligible to receive supplemental security income under 42 USC 1381 to 1383c, which serves any geographic area also served by a resource center, and the individual's family members, may not serve as members of the governing board of the resource center.

ADRC Board Membership Requirements

Consistent with this statute, all of the following requirements must be met by the governing board:

- The composition of the governing board must generally reflect the ethnic and economic diversity of the geographic area served by the ADRC. If the headquarters of a tribal government is located within an ADRC's service area, then that ADRC is expected to have a Native American on its governing board.
- **At least** one-fourth of the membership of the board must consist of individuals who belong to an ADRC client group or their family members, guardians or other advocates.
- The proportion of board members representing older adults, people who have a physical disability, and people who have a developmental disability shall be the same as the proportion of individuals in these client groups statewide that are enrolled in Medicaid managed long-term care programs. Each individual may only represent one client group.

- The proportions determined in December 2007 were approximately 70 percent older adults, 15 percent people with physical disabilities and 15 percent people with developmental disabilities. As vacancies occur, ADRCs **may** adopt proportions determined in December of 2009: approximately 55 percent older adults, 15 percent people with physical disabilities, and 30 percent people with developmental disabilities. ADRCs may maintain the original (2007) proportions until the statewide expansion of Family Care is complete and proportions become stable.

Governing boards are encouraged to include elected officials such as county board representatives as well as citizen members who reflect the populations that may be customers of the ADRC, such as caregivers, youth in transition, people with brain injuries, dementia or mental health issues.

Beginning in 2010, for governing boards having 20 members or less, ADRC governing board client group representation proportionality requirements may be met using either of the following proportionalities. Boards with more than 20 members must submit proposed membership to the Department prior to beginning board activities and any time there will be a change to the membership.

Acceptable Client Group Representation Proportionality

- Three or four older adults, one person with a developmental disability and one person with a physical disability, or their family members, guardians, or advocates.
- OR**
- Four older adults, two people with developmental disabilities, and one person with a physical disability, or their family members, guardians, or advocates.

Conflict of Interest

- Any individual who has a financial interest in, or serves on the governing board of a Managed Care Organization, PACE program, Family Care Partnership Program, SSI managed care plan, or who has a family member with any of these same conflicts, is prohibited from serving on the governing board of an ADRC that shares a common service area.
- County employees may not serve on the board, unless prior authorization for exceptional circumstances is obtained from the Department.
- Elected county officials serving on a board may not also serve as *consumer* representatives on the board of an ADRC serving their constituency.
- Providers under contract with a managed care organization are considered to have a financial interest in the MCO and therefore are not eligible to serve on the ADRC governing board, as provided for under state statute s.46.283(6)(a)3. IRIS ICA and Financial Services Agency employees are also considered to be providers, therefore they also may not serve on the ADRC governing board.

- Providers that offer long term care services for older adults or people with physical or developmental disabilities, and have a competitor providing the same service in the ADRC service area, are also prohibited from serving on the governing board. ADRCs provide information about and referrals to service providers, and should not give the appearance of endorsing any provider by giving board membership to one provider and not another.
- ADRCs must avoid the appearance of ‘steering’ customers to any particular provider based upon the influence of the provider on the governing board. ADRCs are trusted sources of unbiased information regarding long term care services.

Duties of an ADRC Governing Board

The duties of an ADRC governing board are described in statute (s.46.283(6)), Wisconsin administrative code (HFS 10) and the ADRC contract. These responsibilities are summarized below.

Operational Duties

- Develop a mission statement for the ADRC
- Determine the appropriate structure, terms of office, policies, and procedures
- Oversee the on-going operations of the ADRC including annual review of interagency agreements
- Assure input from consumers, service providers, MCOs and local constituents regarding the policies, procedures and goals of the resource center
- Provide financial oversight, including development of a budget and monitoring of expenditures
- Ensure the terms of the contract are fulfilled
- Provide recommendations on selecting the Director
- Ensure that there are no conflicts of interest involving or affecting the ADRC
- Monitor and ensure the quality of services provided by the ADRC

Advocacy and Outreach Duties

- Review the number and type of grievances and appeals concerning the long term care system in their service area and make recommendations for improvements as appropriate
- Identify potential new sources of community resources and funding to serve the client populations
- Identify the unmet needs of the client populations (see section below)
- Provide well advertised opportunities for persons to participate in the board’s informational gathering activities
- Recommend strategies for building local capacity to serve the client populations to elected officials, the Wisconsin Council on Long-Term Care, and the Department as appropriate.

Identifying Unmet Needs

ADRCs are required to collect information regarding the contacts they receive for which there is no service available to meet the needs of the individual. These data are to be used along with any other information gathered through ADRC activity related to the identification of unmet needs within the community. The governing board is expected to analyze this information and share the results with the county board and the Department. The ADRC board may also share this information with local organizations that fund or operate service programs.

Combining ADRC Board with Commission/Committee on Aging

The ADRC governing board may combine with the County Commission/Committee on Aging. The composition of the collective board must meet both the ADRC governing board and the Commission/Committee on Aging member requirements. The Commission/Committee on Aging statutorily requires that at least 50 percent of the commission or committee consists of older adult representatives, and the number of elected officials on the commission or committee cannot be 50 percent or more. There are two options to accomplish meeting these requirements on a combined board:

Option 1 for Combined Boards

The board may develop an advisory subcommittee of the ADRC Board to address aging specific issues. Fifty (50) percent of the **subcommittee** members must represent the older adult population and the number of elected officials on the **subcommittee** cannot be 50 percent or more. The overall board must comply with the requirements listed in the ADRC Board Membership Requirements section of this document for client group representation and proportions.

Option 2 for Combined Boards

Client group proportionality requirements under ADRC statutes must be maintained while also meeting the at least 50 percent older people requirement of the Commission on Aging. This means that the number of individuals with developmental disabilities and physical disabilities must be increased when the number of older adults is increased. The chart below describes acceptable proportionality distribution possibilities as of 2010.

Chart of Acceptable Client Group Proportionality for Combined Commission/Committee on Aging and ADRC Governing Boards

Total Board Membership	Older adults 50%	People with Developmental Disabilities	People with Physical Disabilities	Non-Client Group Reps
6	3	1	1	1
7	4	1	1	1
8	4	1-2	1	1-2
9	5	1-2	1	1-2
10	5	1-2	1-2	1-3
11	6	2-3	1-2	0-2
12	6	2-3	1-2	1-3
13	7	2-3	2	1-2
14	7	2-3	2	2-3
15	8	2-4	2	1-3
16	8	2-4	2	2-4
17	9	3-5	2-3	0-3
18	9	3-5	2-3	1-4
19	10	4-5	2-4	0-3
20	10	4-5	2-4	1-4

Combined Boards for Regional ADRCs

When an ADRC serves an area that includes more than one county, and has a combined ADRC governing board and Commission/Committee on Aging, each county must maintain its own aging advisory committee, appointed by the county board of supervisors. Fifty (50) percent of the committee members must represent the older adult population and the number of elected officials on the committee cannot be 50 percent or more. The aging advisory committees are subject to the term limits required by the Wisconsin Elders Act. These advisory committees shall provide input and advice to the regional ADRC governing board which has designated oversight of aging programs.

This requirement applies regardless of which of the two options listed above is selected for the combining of the two boards. Please see the memo dated April 13, 2010 from Gail Schwersenska, director of the Office on Aging, to all AAA and county and tribal aging unit directors outlining these requirements.

Implementation

Existing ADRCs must complete the information requested regarding their governing board in the ADRC Annual Documentation. New ADRCs will be required to provide information on their governing boards upon beginning operations. Governing boards should be operational, preferably at the start of the ADRC, but no later than six months after start-up. To come into compliance with these requirements, replacement of board members may occur when positions become vacant, or sooner at the discretion of the ADRC.

Additional Information

Please send an email request to DHSRCteam@wisconsin.gov for further information.