Overview: 2013 Legislative Session

There is a common saying among politicos: “Elections matter.” The 2012 election swept the DFL back into control of the state House and Senate. The new legislative majorities, combined with DFL Governor Mark Dayton, created one-party rule: a dynamic that had been absent from the Capitol for 22 years.

Although they had a firm grip on power, Democrats faced significant challenges, including a projected $627 million budget deficit, which is a large deficit, but still considerably lower than the multibillion dollar deficits we have become accustomed to in recent years.

While the prospect of new revenue this session was strong, giving providers hope that some of the revenue would be directed at the health and human services budget, lawmakers had alternative priorities, including addressing the education shift, providing property tax relief, providing tuition relief for higher education, and economic development.

Lawmakers dealt with several high-profile issues during the 2013 legislative session—legalizing same sex marriage, establishing a health insurance exchange, and allowing daycare providers and personal care attendants to form unions—but the budget dominated discussions at the Capitol.

Long before the legislature convened, the Dayton administration began working on a tax reform plan. He revealed his plan, along with his two-year budget proposal two weeks into the session. The plan called for increased investments in many budget areas, including over $100 million of new spending in health and human services and the first increases to older adult services to appear in any Governor’s budget in over a decade.

The additional spending was supported by new revenue: higher income taxes on top earners, an increase in the cigarette tax, and changes to the state sales tax system that involved lowering the sales tax rate while expanding the base to include clothing items over $100 as well as many consumer and business-to-business services.

Opposition from the business community, and low support from legislators, caused Governor Dayton to retract his proposed sales tax expansion just weeks after he introduced it.

As the session continued, three different tax and budget plans emerged: the governor’s, the House’s, and the Senate’s. Although all three plans shared some common elements, a compromise agreement wasn’t reached until the last week of the session. Notably, one of the biggest areas of difference was in the health and human services arena, where there was nearly a $300 million gap between the governor’s proposal and the proposals from the House and the Senate.
The final HHS bill provided the largest rate increase for nursing homes since 2002 and the first increase for MA waivered services in five years. While these investments fall short of what we had sought, it provides a platform from which we will work to build on in future years.

**Advocacy**

Throughout the 2013 legislative session Aging Services of Minnesota advocated that older adult services should be a top priority for lawmakers. Three major aspects of our approach were different this year. First, we focused on the *people* who deliver care, not the places where it is delivered. This helped us focus more intensely on the caregivers and their need for better wages. Second, we focused on areas of bipartisan agreement. To this end, we helped form a Bipartisan Senior Caucus, lead by Rep. Patti Fritz (DFL-Faribault), Rep. Joe Schomacker (R-Luverne), Sen. Kent Eken (DFL-Twin Valley), and Sen. Julie Rosen (R-Fairmont). Third, we formed new coalitions and worked to engage more individuals in our advocacy. This meant reaching out to consumers and organized labor as well as a more intense effort to engage caregivers working in our member settings.

**Legislative Advocacy**

The Aging Services’ public affairs staff was joined again this session by contract lobbyist Judy Cook of Cook Girard. Aging Services of Minnesota also continued our partnership in advocacy activities through the Long-Term Care Imperative. In addition, the Imperative engaged the firm of Weber Johnson for support in grassroots advocacy and public relations.

We maintained a high level of engagement with certain legislative committees by working with the committee chairs, committee members and staff, providing information, responding to requests and testifying at several committee hearings that focused on older adult services. We also empowered members to advocate in support of our issues, providing opportunities for members to advocate in their communities as well as in St. Paul.

**Grassroots Advocacy**

Involvement by our members and staff remains a cornerstone to our advocacy strategy. This year, we focused even more directly on information, tools and tactics to engage our members in our campaign.

**Microtargeting**

This year, we narrowly focused on 12 key legislators that had the potential to significantly impact the outcome of our issues in a positive way. With the assistance of Weber Johnson, we engaged members in each of those targeted legislative districts and conducted in-district meetings between the providers and the legislators. We also followed up in those districts with outreach to the local media. As a result, many of these targeted legislators became champions of senior care, rather than just sideline supporters.
Messaging and Strategic Targeting

In District Meetings

- Sen. Tony Lourey (entrenched)
- Sen. Kathy Sheran (entrenched)
- Sen. Kevin Dahle (swing)
- Sen. MelissaFranzen (swing)
- Sen. Jim Carlson (swing)
- Rep. Ben Lien (swing)
- Rep. Tom Huntley (entrenched)
- Rep. Kim Norton (entrenched)
- Rep. Sandra Masin (swing)
- Rep. Mary Sawatzky (swing)
- Rep. Laurie Halverson (swing)

Capitol News LIVE
We again hosted weekly live, interactive webinars throughout the legislative session through a program called Capitol News LIVE. These broadcasts were open to any member of Aging Services of Minnesota. The goal of these broadcasts was to inform our members of our weekly advocacy activities, including meetings with legislators, developments in hearings, and key decisions made by lawmakers. We also used the time to answer questions members had regarding legislative activities and to share grassroots “assignments.”

District Days at the Capitol
We continued our tradition to move our March District meetings to St. Paul in order to host our annual District Days at the Capitol. In late March, delegations of Aging Services members from around the state to St. Paul for a day of lobbying.

Rally at the Capitol
In the final weeks of the legislative session, Aging Services felt it was important to bring our members to the Capitol for one more push to let legislators know we were not backing down from our expectation that senior care was a top priority in this budget. Despite snowy weather, nearly 500 providers, seniors and caregivers rallied, chanting “5 and 5.” They were joined by representatives of the bipartisan senior caucus.

In the coming months, Aging Services of Minnesota will focus on maintaining and increasing the understanding by key legislators, leadership and the Administration about older adult services and our efforts to seek reform that will provide greater sustainability in the future.
Media

Background and Strategy
Public relations and grassroots advocacy moved in a new direction this legislative session with a focus on microtargeting. Microtargeting identifies key influencers and utilizes a variety of tools to deliver the specific messages to specific people. In other words: the right message reaching the right people at the right time. This strategy was designed to educate targeted lawmakers on our legislative priorities, and leverage their influence in delivering results at the State Capitol. The microtargeting campaign successfully built upon the grassroots engagement strategy we utilized during the last biennium.

Themes and Key Messages
The primary theme of the public relation and grassroots advocacy campaign this session was “make seniors and caregivers a priority.” To help lawmakers understand the importance of supporting investments in senior care, we highlighted the following messages:

- **Caregiving Crisis**
  Years of cuts and freezes to long term care have created a caregiving crisis in our state. Chronic underfunding has not allowed providers to offer competitive wages resulting in a shortage in quality caregivers, high turnover rates and unfilled vacant positions.

- **Future Needs**
  The state budget must reflect the state’s changing demographics. Seniors will outnumber schoolchildren by 2020, and it will take more people to take care of them and their medically complex needs. We must adopt a budget that attracts additional caregivers into the senior care sector.

- **State Responsibility**
  Lawmakers control the majority of a nursing facility’s operating budget because of the state’s rate equalization rate. When lawmakers freeze nursing home rates or cut Elderly Waiver, it limits nursing homes from obtaining revenue from other sources to cover increasing and hinders assisted living providers from offering competitive wages to their employees.

- **Budget Stability**
  Investments in a cost effective program like Elderly Waiver is the future of long term service delivery. Elderly Waiver is less costly to the state, and gives seniors the ability to age in place through home and community-based service program.

Infographics
In preparation for the legislative session, the Long Term Care Imperative developed and distributed two infographics. The infographics aligned with our priority message and also described the impact of long term care on the state’s economy. In addition, Aging
Services of Minnesota also developed and distributed “The Game of Life Career Card: Caregiver” to showcase the work caregivers do and the disparity in pay as compared to their colleagues in other health care settings.

The infographics were distributed to lawmakers, key stakeholders and media to use and reference as the bills related to health and human services funding moved through the legislative process. Data from the economic impact graphic was used in several media stories highlighting the need to invest in senior care.

**Social Media**
Social media was a key microtargeting component of this year’s public relations and grassroots advocacy strategy. The Long Term Care Imperative utilized photos of caregivers, seniors and their families to tell lawmakers and Governor Mark Dayton to make them a priority. The photos were featured on Facebook, accompanied by several paid targeted advertising spots. These spots led to the photos being viewed by thousands of people, including a large majority in the legislative districts that were focus points of the microtargeting campaign.

In addition, the Long Term Care Imperative developed and distributed two short videos on the caregiving crisis, featuring interviews with providers and caregivers. Each video highlighted our key messages and photos of those who would benefit from a funding increase – seniors and their caregivers. The use of video allowed the Long Term Care Imperative to bring an effective and much needed personal connection to the association’s legislative priorities. These videos were distributed via such social media tools as Facebook and YouTube. They were also provided to members to send as links to their lawmakers to encourage them to support long term care funding.
The increased use of social media led to 14,423 unique viewers in the United States. The largest number of metro viewers was Minneapolis with 1,659. In Greater Minnesota, Alexandria led the way with 259 viewers closely followed by Fairmont with 247. In addition, the Long Term Care Imperative Facebook page reached more than 500 likes, up from 147 at the beginning of session.

The peak week for social media outreach aligned with our Caregivers Count Rally at the State Capitol on May 2. During the week of April 27 – May 3, the Long Term Care Imperative’s social media efforts reached 42,880 people. Of that number, 35,127 were viral and 8,746 were paid placement from a base of 408 direct contacts.

Proactive Media Outreach and Coverage
The legislative session began with a note of optimism as Governor Mark Dayton included Minnesota caregivers in his budget proposal. Upon learning this news, Aging Services of Minnesota President and CEO Gayle Kvenvold said: “We are pleased that the Governor’s budget proposal acknowledges that investing in caregivers and seniors is a Minnesota priority. Ensuring that Minnesota’s range of senior care options remains intact following years of cuts must be a priority in 2013.”

Quickly following the Governor’s budget announcement, the Long Term Care Imperative placed a commentary in the Star Tribune titled “Minnesota Must Focus on Senior Care.” An excerpt from that commentary:

“Senior care, and aging with dignity, knows no political party. We are all aging. This call for action comes at a time when the senior care system – which has been built around our state’s values of choice, independent living and quality – is starving for an investment. It is an investment that can be translated into wages for workers, more and better trained staff, and care settings that meet the standards we want for ourselves and our parents.”

An announcement of a new bipartisan, bicameral Long Term Care caucus elevated the issue of senior care funding at the State Capitol. The Long Term Care caucus made prioritizing funding for seniors and caregivers in the budget their top priority, and introduced legislation to provide a five percent increase in each year of the biennium to both care centers and Elderly Waiver. Upon introducing the bipartisan caucus and legislation, Senator Kent Eken (DFL-Twin Valley) said: “We are proposing a bill that would take a significant step toward addressing the chronic underfunding of senior care services.” Representative Rod Hamilton (R-Mountain Lake) added, “Age is not a partisan issue, and the best way to meet the needs of our seniors is to invest now and make senior care a priority.”

When the House and Senate budget targets were revealed to show a $150 million cut to health and human services spending, the Long Term Care Imperative immediately responded with a statement that said, in brief:
“The funding increase included in the House Health and Human Services bill demonstrates a commitment to long-term care but, after four years of cuts and freezes, the funding levels proposed are simply insufficient to address our care giving crisis,” said Gayle Kvenvold, President and CEO of Aging Services of Minnesota. “We will continue to work with the Minnesota Legislature to secure dedicated and sustainable funding levels that make seniors and their caregivers a priority.”

The quick response to the budget targets led to a feature story in the Fargo Forum, which was also picked up by many newspapers across the state as well as Senior Housing News. Excerpts from those stories include:

“At this point, I would classify our situation as fairly desperate,” Jon Riewer, CEO and president of Eventide Senior Living Communities, said. “It’s hard not to feel like one of the most important things we can do as a state is protect our seniors, but we very much feel like we’re at the bottom of the food chain.”

Rather than pursue more budget cuts to DHS, Minnesota needs to invest in senior care and services, says Gayle Kvenvold, Aging Services of Minnesota president and CEO. “Minnesota is aging,” she said. “We need to address the demographics and we need to do it in this coming biennium. We need to be ready.”

The Rochester Post Bulletin also published an editorial titled “Nursing homes, caregivers need a financial lifeline.” An excerpt from that editorial:

“Bills have been introduced to increase the state’s payment rate to nursing homes by 5 percent over two years… and provide a similar rate increase in the state’s Elderly Waiver program. This is, admittedly, a stop-gap measure but it will keep the doors open in nursing homes across the state. Their situation hasn’t improved in the last two years, and now is the time to stop the bleeding.”

Almanac, a weekly public affairs program that airs on Twin Cities Public Television (TPT), aired a five minute segment on the caregiving crisis that featured interviews with lawmakers and a provider. The broadcast aired just as the House and Senate were planning to take up the HHS bills in their respective bodies. The effective pressure from the grassroots advocacy of long term care is specifically cited as contributing to the slow recovery in funding this session. Excerpts from the TPT story include:

“We are in a caregiving crisis,” said Christine Bakke, St. Benedict’s Senior Community. “It is getting harder and harder to recruit people to work in a nursing home. Seniors are the people who helped build the country into what it is and they are at a very vulnerable time. It is very frustrating to watch them be ignored each year.”

“My big concern for nursing homes and others in the disabled community is that they are having huge turnovers in their staff,” said Representative Tom Huntley (DFL-Duluth) and Chair of the House Health and Human Services Finance Committee. “I still don’t
understand why it was decided that everybody else would get a raise except health and human services. “

“In many of small communities in districts across the state, these nursing homes and care facilities are the largest employers in town. Some of these nursing homes are threatened with closing,” said Representative Paul Torkelson (R-New Ulm). “We have huge increase in the amount of money going into the budget but yet we can’t find the money to take care of these folks that really deserve to be taken care of.”

The Long Term Care Imperative also met with the Pioneer Press editorial board to emphasize the impact chronic underfunding has had on the recruitment and retention of a quality workforce. The Pioneer Press expressed an ongoing interest on workforce challenges in the long term care industry.

Inspired by strong grassroots advocacy of its membership, the Long Term Care Imperative held a well-timed and attended Caregivers Count Rally at the State Capitol. The rally took place as Governor Mark Dayton and legislative leadership were setting budget targets for the conference committee. Hundreds of caregivers, seniors and their families rallied in the rotunda in support of a higher spending target for health and human services. Chants of “5 and 5” loudly echoed throughout the Capitol, as media from television, print and radio interviewed participants. The rally received coverage in newspapers across the state and a story on KSTP that aired at 5, 6 and 10. Excerpts from those stories include:

"Please help us. Please help us elderly have a quality of life," said Hazel Boone, a resident at Guardian Angels in Elk River.

“We cannot fail our seniors,” said Jon Riewer, Board Chair of Aging Services and President/CEO of Eventide Senior Living Communities in Moorhead. “A five percent increase in each year of the biennium is needed to close the long term care funding gap and start addressing the caregiving crisis in our state.”

Strong grassroots advocacy combined with consistent messaging led to the first funding increase for long term care in more than four years. The final HHS budget came out of conference committee with higher funding than what was included in the Governor’s, House and Senate proposals. The Long Term Care Imperative distributed a statement after the final vote on the HHS Finance bill that said in part:

“We are grateful for the recognition to prioritize long term care. The money will be put to good use on behalf of caregivers and ensure continued quality care for our seniors. This is an exciting start for our work with legislators going forward,” said Gayle Kvenvold, President and CEO, Aging Services of Minnesota.
Members in the Media

Aging Services members were also effective in placing commentaries in their local media to call attention for the need to close the caregiving crisis and provide a funding increase for long term care.

Jon Riewer, Board Chair of Aging Services of Minnesota and President and CEO of Eventide Senior Communities, co-authored a letter to the editor titled “We owe it to our seniors” that was published in the Fargo Forum. An excerpt from the letter:

“This year we have an incredible opportunity to create a sustainable, long-term infrastructure for the future to support our seniors and their caregivers. Chronic underfunding of our senior care system has meant that those who care for our parents and grandparents are underpaid. As providers of senior care services, we recognize that our staff deserves more. And we owe it to those who care for those seniors to compensate them in a way that is commensurate with that wonderful responsibility.”

John Korzendorf, Executive Director for Ecumen Bayshore Health Center in Duluth, co-authored a commentary for the Duluth News Tribune titled “Minnesota must do more to care for senior citizens.” An excerpt from that commentary:

“If the moral test of government is how it treats our most vulnerable citizens, we believe Minnesota has more work to do to support its seniors and those who care for them. In recent years, Minnesota’s senior too often have been forgotten, and those who care for them are too often underfunded. The positive budget forecast gave policymakers no excuse but to invest in Minnesota senior and caregivers.”

In an editorial to the Northfield News, Senator Kevin Dahle cited Mala Strana, Northfield Retirement Community and Three Links Care Center in his call for Minnesota to make a commitment to seniors and their caregivers. Sen. Dahle said: “While I had planned for an ordinary, informational meeting, I realized that we have a crisis regarding the support our seniors, nurses, administrators and other employees receive. Even more troubling was learning that this failure of our state to provide for our seniors is endemic across Minnesota. As a result of my visit, I’ve been moved to adopt legislation designed to protect our seniors by giving facilities the resources they need to continue to serve those in their care.”