

## **HEALTH CARE ADVISORY BOARD**

Meeting Summary

May 11, 2015

### **MEMBERS PRESENT**

Marlene Blum, Chairman  
Bill Finerfrock, Vice Chairman  
Rose Chu, Vice Chairman  
Ann Zuvekas  
Tim Yarboro, MD  
Dr. Michael Trahos, DO  
Francine Jupiter  
Ellyn Crawford  
Rosanne Rodillo

### **STAFF**

Robin Mullet  
Robin Wilson  
Sharon Arndt

### **MEMBERS ABSENT**

Dave West

### **GUESTS**

Rosalyn Foroobar, Deputy Director of Health Services, Health Department  
John Silcox, Public Safety Information Officer/Communications Dir., Health Department  
Bob Eiffert, Long Term Care Services, Health Department  
Michael Forehand, Inova Health System  
William Holmes, Smith/Packett Med-Com, LLC  
David Wiggington, Market Data Analyst, Smith/Packett Med-Com, LLC  
Jeffrey Sunderland, Attorney, Walsh, Colucci, Lubeley & Walsh PC  
Stuart Mendelsohn, Attorney, Holland and Knight  
David Schneider, Attorney, Holland and Knight  
Andy Coehlo, Senior Vice President, Facilities, Sunrise  
Edward Burnett, Chief Financial Officer, Sunrise  
Julie Navarrete, Director of Clinical Practice, Sunrise  
Cecilia Sparks Ford, Chesterbrook Residences, Inc.  
Larry Rouvelas, Senior Housing Analytics  
Rear Admiral Kathleen Martin, USN (Ret), CEO, Vinson Hall Retirement Community  
Nina Un, L'Ambiance Community Home Owners Association  
Rebecca Neumann, McLean resident  
Bobby Katai, Department of Planning and Zoning, Fairfax County

## **Call to Order**

The meeting was called to order by Marlene Blum at 7:35 p.m.

## **April 13, 2015 Meeting Summary**

The meeting summary from April 13, 2015 was approved as written.

### **The Crossings at Spring Hill (FDPA-2002-MV-040-02)**

In follow-up to last month's meeting, representatives of The Crossings at Spring Hill were asked to return with a market demand/feasibility study on the proposed property. Representing the applicant to discuss the study were Jeff Sunderland, Attorney; Will Holmes from Smith-Packett Med-Com, LLC; and David Wiggington, Market Data Analyst with Smith-Packett. The study had been sent to members of the Board in advance of the meeting for their review, and the floor was opened for questions.

Based on the information provided by the applicant, it was noted that the assumption appears to be that potential residents will have sold a previous home, and the proceeds from that sale, along with retirement income, will provide the necessary income for moving into this community. Assuming this assumption to be correct, it was mentioned that for many, a previous home may have already been sold – therefore only retirement income may be available. The applicant responded that those assumptions are true; however, from page 6 of the study, the amount of income necessary to qualify as a renter is listed. It is estimated that 85% of a renter's income will be necessary to cover the costs of renting one of the units. The applicant reiterated that included in the costs are room and board (3 meals per day), utilities, relevant property taxes, and transportation.

The question was asked 'what would happen if someone outlives their capital?' The applicant reminded everyone that they will be designating 4 units for persons needing Auxiliary Grant funds, and that would be a possibility for someone needing financial assistance.

The applicant went on to state that occupancy rates are high in the area and Smith-Packett has been studying the market since 2012. Since that time, occupancy rates have remained high. Also mentioned is that from Springfield and to the south, there is a "hole" in terms of available assisted living facilities; it is anticipated that this proposed property will help fill this void and occupancy rates should therefore increase.

The question about someone needing financial assistance at a time when all 4 units designated for Auxiliary Grants monies are full was raised. Specifically, the applicant

was asked if all 4 Auxiliary Grant units are full, and a current resident needs Auxiliary Grant funding to remain on site, would they be removed. The applicant stated no, a resident would not be discharged if an Auxiliary Grant bed were not available. However, the applicant went on to state that given the expected turn-over rate, they did not anticipate this scenario to occur.

A motion to recommend approval for the facility at The Crossings at Spring Hill was made. The applicant's commitments to designating 4% of their units to the Auxiliary Grant program, as well as to providing quality services, were mentioned in support of the motion. The motion was seconded and approved 8-0 with Rosanne Rodillosso abstaining.

The proposed facility is scheduled to be reviewed by the Planning Commission on June 25<sup>th</sup>.

### **Public Hearing on the Special Exception application of Sunrise Development, Inc. (SE-2014-DR-068)**

Stuart Mendelsohn, Attorney with Holland and Knight, provided a brief overview of the project, noting that written responses to the HCAB's special exception review criteria had been previously sent to the Board. Mr. Mendelsohn stated that the proposed structure is a 73 unit assisted living facility with a mix of memory care units. The proposed site is located at the intersection of Kirby Road and Westmoreland Street in McLean. Attending the meeting on behalf of Sunrise were Edward Burnett, Chief Financial Officer; Andy Coehlo, Senior Vice President of Facilities; and Julie Navarrete, Director of Clinical Practice.

Mr. Burnett addressed community need. He stated that the demand for assisted living and memory care units in the McLean area is incredibly strong. Based on key statistics, including number of seniors, market penetration, number of adult children with aging parents, and strength of market, Sunrise believes this to be a strong market. Mr. Burnett noted that Sunrise has developed a 'niche' in the market of senior residences and specialized care, and is willing to make this investment within the proposed community.

Mr. Coehlo provided an exhibit of the facility which was passed around to each member of the HCAB. The secured environment for those living in the memory care units was emphasized. Of particular note was the enclosed memory garden, which allows access to outdoor space for those memory impaired adults without being in harm's way. It

was noted that staff will accompany residents outdoors and will adhere to the highest level of security.

Ms. Navarrete noted that Sunrise has been at the forefront of assisted living facilities for 30 years. She pointed out that every resident is assessed and receives an individual care plan. Each resident is partnered with a care team so that staff become well-versed in the needs of the individual patients on their team. Unique programs and activities are available to the residents, and Sunrise prides itself on its very individualized approach to care.

The Chairman invited anyone in attendance who had not yet signed up to speak to do so. She mentioned that another opportunity to speak would be given.

### Speakers

Cecilia Ford, representing Chesterbrook Residences, Inc. (CRI) spoke in favor of the proposed Sunrise project. Ms. Ford noted that CRI operates a unique affordable assisted living facility in McLean less than one-quarter mile from the proposed Sunrise property. Ms. Ford mentioned that concerns regarding CRI's fragile financing model led to frank discussions with Sunrise. As a result, Sunrise has agreed to a one-time financial contribution to mitigate CRI's business risk with a competitor so near. With the financial protection afforded to CRI by Sunrise, CRI is in support of the Sunrise project.

Larry Rouvelas, a community resident and Senior Housing Analyst, spoke in favor of the proposed Sunrise project. Mr. Rouvelas mentioned that he was previously employed by Sunrise, but does not currently work for them, nor is he being paid by them. He is speaking solely as a McLean resident and as a professional with a background in senior housing markets. Mr. Rouvelas stated that based on his professional knowledge, the project comes out strong in terms of need. He provided data on income qualified seniors, and income qualified children of seniors within a 5 mile range of the property. He went on to mention that occupancy rates in the region are quite strong, and that within a 3 mile range of the property, the project is even more favorable. In his opinion, the property won't come close to saturating the market, thus reinforcing the need for such a facility.

Kathleen Martin, Chief Executive Officer of Vinson Hall Retirement Community, spoke against the proposed Sunrise project. She first noted that within Sunrise's application, they mentioned that Vinson Hall is a large military-affiliated continuing care retirement community that primarily fills their assisted living units from internal demand. Ms.

Martin stated that was not accurate. She mentioned that Vinson Hall has 5 levels of living: independent, assisted living, memory care, short term rehabilitation, and long term care. It is not military-affiliated; however, the entry criteria for independent living defines commissioned officers and immediate family members from all of the uniformed services and government employees of equal rank from the Department of Defense, Department of State, Foreign Service, and the CIA. All other levels are open to the public. Following this clarification, Mr. Martin highlighted the following:

- There are 75 apartments in the new independent living building, of which 68 are occupied.
- The original Vinson Hall building is licensed for 300 assisted living beds and can be used as assisted living. Of these, 170 are used as independent living.
- Current occupancy of Vinson Hall is 154 of 170 apartments.
- The Arleigh Burke Pavilion has 32 assisted living beds within 21 units. The current census is 18.
- The Sylvestery, 36 memory support units, has never had an occupancy rate greater than 85%

In conclusion, Ms. Martin does not believe the McLean area to be undersupplied in assisted living beds, nor memory care. In her opinion and based on the data for the Vinson Hall community, the development of the Sunrise facility will be a great threat to the viability of the Vinson Hall Retirement Community.

Nina Un, representing L'Ambiance Homeowner's Association, spoke against the proposed Sunrise project. Ms. Un stated that she, as well as the homeowners within her community, are extremely concerned that a large commercial facility is being proposed within a residential area. Ms. Un noted that the Sunrise model caters to high-end clientele, and is not a viable option to meeting the needs of the aging population in Northern Virginia. She mentioned that the market is already fully saturated; pointing out that within 3 to 5 miles of the proposed site is the Sunrise Falls Church facility, the Lewinsville Retirement Center, the Powhatan Nursing Home, Chesterbrook Residences, and the Vinson Hall complex, which includes Arleigh Burke and the Sylvestery. Ms. Un also mentioned that many seniors choose to age in place, and adding yet another senior living facility in a saturated area may not be a wise investment. Ms. Un concluded that while her community supports the housing needs of seniors, they do not believe that the Sunrise facility is needed at the proposed location. Ms. Un urged the Board to recommend against the development of this property and, at a minimum, to defer its decision until there is sufficient data to support demand for such a facility at this site.

There being no others listed on the speakers list, the Chairman asked again if anyone else was interested in testifying. One person stepped forward.

Rebecca Neumann, a resident of the Crosswoods neighborhood, spoke in opposition to the Sunrise project. Ms. Neumann and her husband had previously provided written testimony against the proposed project to the HCAB, which was distributed to each member. Ms. Neumann noted that this is a residential community and is not in favor of any type of commercial property being built in the middle of single-family homes. She believes the facility will irrevocably alter and damage the residential nature of the surrounding neighborhoods. She believes the structure is far too large for the property, and believes any development on that site should be in accordance with the standard R-3 zoning requirements. She recommended that the HCAB vote against the project.

No others in attendance provided testimony.

Discussion followed between members of the HCAB and those representing Sunrise. In response to a question, Sunrise noted that their mix of beds will be approximately 60% assisted living and 40% memory care.

Mr. Burnett apologized to Kathleen Martin and Vinson Hall Retirement Community for misrepresenting their facility.

A statement of concern was raised regarding various inspection violations among Sunrise facilities throughout the region. Ms. Navarrete mentioned her concern as well. Agreeing with the HCAB member, Ms. Navarrete stated that one violation is one too many. She stressed that Sunrise partners with all inspectors so that when issues are identified, they can be quickly and effectively addressed. She also stated that meaningful plans to correct violations are created, and that Sunrise is very committed to addressing problems with the goal of making certain that they don't happen again.

The issue of low occupancy rates at Arleigh Burke was addressed. Mr. Burnett noted that Sunrise facilities have high occupancy rates and are often full. He stressed that they believe the market here to be very strong. With over 300 communities worldwide, they have found the market here to be the most robust.

In response to a question about Sunrise-Lorton, it was mentioned that the acquisition occurred in 2008. Once it was realized that it was not a viable location, residents were moved out safely.

In response to a question about providing financial support to Chesterbrook, it was noted that the two organizations have come to terms. They indicated that Sunrise has a favorable view of Chesterbrook and the large number of lower-income persons they serve. With nearly 50% of their residents being low-income, Sunrise supports their mission and hopes that with their financial contribution, they may mitigate any negative impact they could have on Chesterbrook.

It was noted by a member of the Board that in theory, much of Northern Virginia is in need of long term care facilities. Yet, in reality, that need doesn't seem to exist. Do the Adult Day Care facilities meet the need of those who might otherwise be in assisted living? Are the more affluent clients able to receive needed care in their homes? It's very unclear. Apparent *need* and actual *demand* appear to be miles apart. Thus, it has been difficult to get a real sense of the need.

It was mentioned that the capital investment of purchasing a home in McLean, as many parts of the County, is most often very large. Thus, the residents' concern that a residential area being negatively impacted by a commercial property is a valid one. On the other hand, there appears to be demand for the facility. There are tensions on both sides of the issue making it difficult to find a balance. It was noted that some speakers referenced a 4 story structure; clarification from the applicant was sought. The applicant noted that part of the structure will be 2 stories, while another part of the structure will be 3 stories. No part of the building is more than 3 stories.

The Board was reminded of its obligation in reviewing special exception applications. Of strong importance are quality of care issues and demand in terms of what the market will support. Land use and concerns regarding a potential impact on land values are issues to be addressed by the Planning Commission and Board of Supervisors. The HCAB was reminded to stay focused on their purview.

As part of discussion, the question was raised as to why others have not come before now to this location if this is a strong market. In response, it was noted that there isn't a lot of open space in McLean, thus there have been limited space options to be considered.

The Board reviewed its guiding principles and pointed out:

- The positive side of Chesterbrook and Sunrise working well together;
- Concerns about the low occupancy rates at Arleigh Burke; and
- Information showing that there appears to be sufficient capacity in McLean.

A motion to recommend approval of the Sunrise Special Exception Application based on their commitment to designating 4% of its units to the Auxiliary Grant program, as well as their commitment to Chesterbrook was made. There was a second. The motion failed.

After discussion, it was suggested that the decision be deferred until a feasibility study is provided. The underlying issue is the low-occupancy of the other nearby sites. There has been testimony that questions the applicant's feasibility study, and Vincent Hall's low occupancy rates seem to conflict with the statement of need that Sunrise provided.

The motion to defer a decision until the June meeting was made, with the understanding that the applicant will be expected to provide additional data on community need in the McLean area. There was a second to the motion and it passed.

The applicant was requested to return in June with more documentation of community need, including occupancy rates of nearby facilities.

### **Update on Sherryn Craig**

Marlene Blum mentioned that Sherryn has returned part-time and continues to slowly improve. The person who hit her has been apprehended by the police and will be prosecuted. Health Department staff was thanked for their efforts with the HCAB during Sherryn's absence.

### **Update on FY 2016 Budget**

Rosalyn Foroobar provided a brief overview on the adopted FY 2016 budget. Particular areas of interest are noted below:

- Employee compensation increases were approved
- Funding for 4 new school health positions was approved
- One environmental health position was approved
- Modest contract rate increases (specific to the lab and CHCN) were approved
- Funding for the Healthy Families Fairfax Program was reinstated
- Closure of the Annandale Adult Day Health Care Center will be delayed up to 6 additional months to allow for a longer transition period for some families
- Contributory funding of Inova's Translational Medicine Institute was approved in the amount of \$500,000
- Cost efficiency measures within the Health Department continue



In response to a question, it was noted that the building currently housing the Annandale Adult Day Care Center will be repurposed by the County. In response to a different question, it was stated that the funding for Inova was not a line item vote, but rather part of the full budget package.

### **Inova Translational Medicine Institute (ITMI)**

There was general consensus that the information provided by Inova in terms of ITMI's impact on the local economy was limited. Members stated that there were many deficiencies in the data provided. Given the significant contribution of County resources to Inova, the County should be verifying that there has been a positive impact on all County residents and not just an affluent few. Since the money has been approved as part of the budget, it seems as though the County Executive should be using those funds as leverage in getting data on how ITMI is benefiting the entire community. In other words, the question of: 'What is Fairfax County really getting in terms of providing financial support to ITMI?' should be raised.

After much discussion, it was noted that while there's something to be said for pointing out that Inova's response is not adequate and that the standards of the type of data we want should be higher, it could appear as though it's 'beating a dead horse' to raise it again. At some point, the credibility of the HCAB could be called into play given that the funding has been approved. Following many opinions and discussion, it was decided that the HCAB would not send anything further on this matter to the County Executive at this time.

However, a request to hear what George Mason is doing was requested. This item will be added to an upcoming agenda.

### **Other Business**

Discussion on Adult Day Care Use Determination will be deferred until Sherryn's return.

Sharon Arndt provided a brief overview of the new Health Department data dashboard to be unveiled later this week (May 13<sup>th</sup>). The website to access the site will be [www.livehealthy.org](http://www.livehealthy.org). The dashboard compiles 50 different data sets, including hospital data – most of which is sortable. There is a one year lag on some of the data, and at least 5 years' worth of trends will be maintained. Sharon will provide a demonstration of the dashboard at the June HCAB meeting. In addition, a one page summary of the dashboard will be e-mailed to the Board.

Rose Chu mentioned that the next meeting of the Community Health Care Network's Community Advisory Committee will be May 20<sup>th</sup> at 7:30 p.m. at Kelly Square.

Bill Finerfrock requested that an update on the Reach Out and Read Program be provided. Rosalyn Foroobar will provide this next month.

Marlene Blum noted that she will be attending the Board of Supervisors' Economic Advisory Commission meeting next week and will update everyone in June.

There being no further business, the meeting adjourned at approximately 9:45 p.m.