March 20, 2014
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Managed Care Expert Provides Insights on PAC Provider Selection

At the March 12, 2014 LeadingAge Wisconsin Board of Directors meeting, Shawn Schaefer, Vice President of Field Operations, Care Delivery and Management for Optum/United Health Care in Wauwatosa, dialogued with Directors on issues related to post acute care (PAC) provider participation in various private managed care plans, including Medicare Advantage programs. Schaefer candidly noted not all PAC providers will be asked to join his company’s provider network. He encouraged members to articulate “what makes you different or special.” He noted the PAC provider selection process includes consideration of many factors, including geographic coverage, clinical capabilities, communications, and coordination of care across service providers and quality metrics. Schaefer provided a to-the-point summary of these factors which has been posted at: www.leadingagewi.org/media/9879/uhc.pdf. This three-page summary should be read by all providers with or seeking to enter into a commercial managed care contract. It is also worth noting the overlap between Schaefer’s document and the document prepared by Accountable Care Organizations (ACOs) in Massachusetts (a hot-bed of ACO operations). This document was previously shared with the members and is available at: www.leadingagewi.org/files/maaco.pdf. Schaefer also noted the value of performance indicators and was pleased to know members are using the LeadingAge Insights services to review their own quality metrics and rehospitalization rates (www.leadingage.org/Insights/).

2011-2012 Family Care Spending by Provider Type

LeadingAge Wisconsin has received a DHS report on Family Care spending by provider type for 2011 and 2012. As noted below, the majority (55.5%) of all 2012 Family Care service expenditures were for residential services (CBRF, RCAC, AFH) and nursing facility care (SNF, ICF-ID and IMD). For the frail elderly (FE), residential services and nursing facility care expenditures reached 67.1% of overall costs, compare to 55.7% for persons with an intellectual (developmental) disability (DD) and 45.2% for persons with a physical disability (PD).
Family Care Ave. Per Member Per Month Costs by Provider Type
2012

<table>
<thead>
<tr>
<th>Provider Type</th>
<th>DD</th>
<th>PD</th>
<th>FE</th>
<th>All</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>$1,840.57</td>
<td>$669.38</td>
<td>$1,106.29</td>
<td>$1,288.16</td>
</tr>
<tr>
<td>SNF/ICF-ID/IMD</td>
<td>$844.99</td>
<td>$417.50</td>
<td>$518.99</td>
<td>$300.50</td>
</tr>
<tr>
<td>Sub Total:</td>
<td>$1,925.06</td>
<td>$1,086.88</td>
<td>$1,625.28</td>
<td>$1,588.66</td>
</tr>
<tr>
<td>Total All Care &amp; Services:</td>
<td>$3,457.52</td>
<td>$2,406.79</td>
<td>$2,422.25</td>
<td>$2,863.61</td>
</tr>
</tbody>
</table>

% Residential and SNF/ICF-ID/IMD of Total All Care and Services:

<table>
<thead>
<tr>
<th></th>
<th>Residential Only</th>
<th>SNF/ICF-ID/IMD Only</th>
</tr>
</thead>
<tbody>
<tr>
<td>% Residential</td>
<td>55.7%</td>
<td>2.4%</td>
</tr>
<tr>
<td>% SNF/ICF-ID/IMD</td>
<td>45.2%</td>
<td>17.3%</td>
</tr>
<tr>
<td>% All Care &amp; Services</td>
<td>67.1%</td>
<td>21.4%</td>
</tr>
</tbody>
</table>

Source: DHS Report on Cost-Effectiveness Analysis of Wisconsin's Long Term Care Programs, December 2013, page 11
Prepared by LeadingAge Wisconsin, March 2014

A chart showing 2011 and 2012 Family Care expenditures and percentages by provider type is available at: www.leadingagewi.org/media/9935/dhsfc1112.pdf, and the full DHS report can be accessed at: www.leadingagewi.org/media/9946/clientprovider1112.pdf.

On a related note, Representative John Nygren (R-Marinette) Thursday told the Milwaukee Journal Sentinel that an announcement on expanding Family Care to the northeastern counties of Brown, Oconto, Door, Kewaunee, Marinette, Menominee, and Shawano may be made in the upcoming weeks.

Association News

An Opportunity to Train Your Entire Staff for $55 at the LeadingAge Wisconsin Spring Conference

As part of its Spring Conference offerings, LeadingAge Wisconsin is providing a wonderful training opportunity to an unlimited number of your staff for the extremely low-cost of $55...total! On Wednesday, May 7, 2014, staff can go to any of the pre-conference sessions offered for one low organizational fee ($55 for members) that covers as many individuals as you deem appropriate from your organization to any/all of the five pre-conference sessions.

The LeadingAge Wisconsin Spring Conference is being held May 7-9, 2014 at the Kalahari Resort in Wisconsin Dells. The pre-conference schedule on Wednesday, May 7, 2014 is as follows:

Pre-Conference #1: 9:30 a.m. to 4:30 p.m. -- Planning That Works
Effective organizational planning results in both solid decisions and a culture of reflective decision-making. Wisdom and data are gathered from many sources, but decision-making points are clear. It
does not predict the future, but prepares an organization to confidently face it with clarity of purpose and an ever-updated inventory of what it does and does not know about itself and its environment.

Presenter: Marla Handy, PhD, Marla Handy Consulting and Training, Madison, WI.

Pre-Conference #2: 1:00 p.m. to 4:15 p.m. -- Change Your Words; Change Your World!
The only tools you have as a leader are your actions and your words. This workshop will open your mind to the powerful world of motivations. Using the About Me Card tool, inventor Joe Kiedinger will show you how to tip a person to positive energy in thirty seconds and also how to positively lead a person to accomplish great things. Presenter: Joe Kiedinger, Brander in Chief, Prophit, Green Bay, WI.

Pre-Conference #3: 1:00 p.m. to 3:15 p.m. -- Your Winning Strategy for Attracting and Retaining Top Talent in a Post-ACA Era
Hear from a well-respected employment law attorney, a human resources consultant, and an expert on the Accountable Care Act (ACA) as they discuss updates on how the ACA will affect your organization. Also in this session, you will pick up creative ideas to consider in your strategy to attract and retain great employees. Presenters: Robert J. Simandl, Simandl Law Group, Waukesha, WI; Sean LaBorde, M3 Insurance, Madison, WI; Matt Shefchik, QTI Consulting, Inc., Madison, WI; Matt Duffy, QTI Professional Staffing, Madison, WI.

Pre-Conference #4: 1:00 p.m. to 4:15 p.m. -- ICD 10 – An Operator’s Guide for Compliance: Key Strategies and Tips for Implementation
The countdown to October 1, 2014 begins! Healthcare leaders across the nation are actively developing ICD-10 transition plans to ensure there will be minimal disruption to cash flow and limited claims denials while simultaneously preventing a decrease in productivity of those responsible for coding and the ability to circumvent major workflow disruptions. ICD-10 potentially will have far reaching implications impacting numerous aspects of your post-acute care organization, including reimbursement, revenue flow, compliance, billing, software, and quality data outcomes. Financial billing staff, department leaders, and clinical personnel all have important roles in creating a successful transition. This session will provide leaders with key implementation strategies and timelines to ensure an effective ICD-10 transition, reducing the potential for negative outcomes! Presenters: Louann Lawson, Pathway Health, White Bear Lake, MN; Tina Schrader-Berte, Pro Ed Continuum LLC, New Berlin, WI.

Pre-Conference #5: 1:30 p.m. to 3:00 p.m. -- Value First Purchasing Strategies and Best Practices
This session will provide background on the legal issues as they pertain to your purchasing decisions. Additionally, it will show you how the price you pay is determined, and how you can implement strategies to deliver maximum savings for your organization. Presenter: Jared Schei, Value First, St. Paul, MN.

In addition to the wonderful pre-conference sessions, the remaining 38 educational sessions will explore areas such as:

- Strategic Planning
- Leadership Development
- Quality Improvement
- Survey Success
- Competitive Compensation Packages
- The Future of Long-Term Care
- Positioning Your Organization for Success
- Health Care Reform
- Governance
- Cultural Assessments
- Social Accountability
- The Business Case for Person-Centered Care
Auction at Spring Conference – Donate Today

An auction will be held Thursday, May 8, 2014 at the Kalahari Resort in Wisconsin Dells in conjunction with the LeadingAge Wisconsin 2014 Spring Conference. This will be a fun and lively event and an opportunity for you to purchase some incredible items. Proceeds from the auction will go to the LeadingAge Wisconsin Research and Education Corporation (R&E Corporation).

As we build and strengthen the R&E Corporation, we will be able to use these resources to develop and implement new programs and services for LeadingAge Wisconsin members.

We are asking all LeadingAge Wisconsin members (corporate and associate) to help us make this a very successful event by donating items for our auction. The R&E Corporation is a 501(c)(3) corporation. Therefore, the value of any item donated by an individual (rather than a business, company, corporation, facility, etc.) is tax deductible.

For the most part, anything that you believe would be of value to or enjoyed by somebody is a worthy auction item. To date, we have received several unique and exciting auction item donations that will be available for bidding on Thursday, May 8, 2014. Samplings of these exceptional items include:

- A Handmade Quilt
- Golf Balls and Wedge
- Scotch & Cigars
- Couples Overnight Weekend in Milwaukee
- A Beautiful Hand-Woven Scarf
- Relaxation Gift Basket
- Neckties
- Homemade Wooden Bucky Badger Patio Cooler
LeadingAge Conference Registration
Hand-Braided Rug
Wine Gift Basket
Homemade Jewelry
Various Packer Memorabilia
Handmade Apron & Pot Holder Set

The list of ideas above is only meant to get you thinking, not to limit your options. We are counting on you to please help with our 2014 R&E Corporation auction so that we can develop new programs and services that will help you grow into the future. After creatively thinking about what you are willing to donate to the auction, please let us know about your donation by completing the short questionnaire at: www.surveymonkey.com/s/2014Auction.

Thank you!

SNF News

LeadingAge Wisconsin Medicaid Nursing Facility Funding Analysis

LeadingAge Wisconsin has completed a comprehensive analysis of Wisconsin’s Medicaid nursing facility payment system, including a review of facility-specific cost and reimbursement information for 2012-13 (the most recent data available). Our study revealed the following:

- In the 2012-2013 payment year, the difference between the total cost of the care facilities provided their Medicaid residents and the Medicaid reimbursement they received for providing that care (i.e., the "Medicaid deficit") was $330,978,401.
- Wisconsin nursing facilities, on average, lose $50.91* per day for each Medicaid resident they serve. For the average Wisconsin nursing home, that results in an annual loss of $1,044,400* to provide care to its Medicaid residents. (* includes supplemental payments).
- 371 of the 378 nursing facilities in the state’s database, or 98.1%, received a Medicaid payment in 2012-13 which failed to meet the cost of care they provided their Medicaid residents.
- Direct care costs, the costs to provide hands-on care to residents, represented $168,830,934, or 51%, of the total costs Medicaid failed to reimburse in 2012-13.
- Labor costs represent approximately 70% of the total cost of providing care and treatment to nursing home residents. Nursing homes employ over 52,300 individuals; 58% of all nursing home personnel perform nursing care and services (RNs, LPNs, and certified nursing assistants).
- As a result of the failure of the Medicaid program to pay the resident care costs for which it is responsible, private-paying nursing home residents are compelled to pay rates that average nearly $100 per day higher than a facility’s Medicaid payment rate (Average 2012-2013 Medicaid payment rate: $157.01 per day) for virtually the same care a Medicaid resident receives.
- Medicaid recipients as of July 2012 (18,766 residents), including Family Care enrollees, comprise approximately 65% of all residents served in Wisconsin nursing facilities.

The complete analysis with a more detailed Fact Sheet and a summary of losses by ownership type are available at: www.leadingagewi.org/media/8828/snf1213loss.pdf and
DQA Urges Nursing Facilities to Utilize HealthCare Associated Infection Resources

The Division of Quality Assurance (DQA), in the Department of Health Services (DHS) recently convened a meeting to discuss healthcare-associated infections (HAI) in long-term care settings. During this meeting:

- Dr. Christopher Crnich, Infectious Disease Consultant with the UW-Madison School of Public Health, highlighted the prevalent misuse of antibiotics in nursing facilities and the serious impact such practices have on resident quality of care.
- Dr. Joseph Boero, Certified Medical Director--WI Association of Medical Directors, discussed how he was able to work with provider staff (nurses working with the medical director) and attending physicians to reduce the incidence of inappropriate antibiotic use. He noted that facility staffs are unlikely to change physicians’ prescribing habits overnight; however well informed and diligent staffs are making significant changes in lowering the incidence of inappropriate antibiotic use.
- Vicky Griffin, DQA RN Nurse Consultant, suggests nursing facilities review the HAI information posted on the DQA website: [www.dhs.wisconsin.gov/rl_dsl/NHs/hai-intro.htm](http://www.dhs.wisconsin.gov/rl_dsl/NHs/hai-intro.htm). She noted DQA surveyors are specifically trained on HAI issues using the following resources posted under the “Events” link:
  - [The Case for Antibiotic Stewardship in Nursing Homes](http://www.dhs.wisconsin.gov/rl_dsl/NHs/hai-intro.htm)
  - [Setting Up an Antibiotic Stewardship Program in a Nursing Home](http://www.dhs.wisconsin.gov/rl_dsl/NHs/hai-intro.htm)
  - [Your Institution's Antibiogram - More Than Just a Table](http://www.dhs.wisconsin.gov/rl_dsl/NHs/hai-intro.htm)
  - [Group Activity - How to Create and Interpret an Antibiogram](http://www.dhs.wisconsin.gov/rl_dsl/NHs/hai-intro.htm)

Griffin also recommended nursing facilities view the webcast featuring Dr. Crnich entitled, [Management & Prevention of Outbreaks in Nursing Homes](http://www.dhs.wisconsin.gov/rl_dsl/NHs/hai-intro.htm).

CMS "Advanced Beneficiary Notice of Noncoverage" Booklet - Revised

The Centers for Medicare and Medicaid Services (CMS) recently revised its "Advanced Beneficiary Notice of Noncoverage" (ABN) fact sheet and booklet. The material is a good resource for Medicare Fee-For-Service providers and is designed to provide information on when the "ABN" should be used. The material also provides instructions on how to complete the ABN and provides an example of the "ABN." LeadingAge Wisconsin members can access the [booklet here](http://www.dhs.wisconsin.gov/rl_dsl/NHs/hai-intro.htm).

Housing & Services News

Resolve: Something New for Assisted Living Professionals
LeadingAge Wisconsin is working with the DHS Bureau of Assisted Living, the Office of Family Care Expansion, and other associations serving assisted living communities throughout the state to help you find answers to your questions.

Through these collaborative efforts, we soon will be formally introducing *Resolve: An Interactive Discussion about Solutions Impacting Assisted Living, Family Care, the Bureau of Assisted Living, and You.*

*Resolve* will be a series of five regional meetings. **There will be no charge to participate in these meetings;** however, attendance is limited to no more than two individuals from the same facility, and you must pre-register to attend any of the events.

The 2014 *Resolve* meetings are scheduled as follows:

- June 10 at the Performing Arts Center at Oakwood Village in Madison
- July 23 at the Faith & Education Center at Luther Manor in Wauwatosa
- August 6 at the Davies Student Center at the University of Wisconsin – Eau Claire
- September 3 at the Hyatt on Main in Green Bay
- November 12 at Assisi Hall at Bell Tower in Merrill

At each location, the meeting will run from 9:30 a.m. to 12:30 p.m. Refreshments and lunch will be on your own.

*Resolve* will provide you the opportunity to talk informally with representatives from the Bureau of Assisted Living, the Office of Family Care Expansion, and from the Family Care MCOs about your questions, concerns, and issues. The intent of these meetings is to work together to assure we are providing the best possible care and services to the individuals served in Wisconsin’s assisted living communities.

Please mark the above dates on your calendar and be watching for more detailed information when we send you registration materials for *Resolve.*

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**BAL Assisted Living Forum**

The DQA Bureau of Assisted Living (BAL) hosted the Assisted Living Forum on March 18, 2014 in Madison. The following provides a brief summary of issues covered during the Forum:

**Dementia Capable System:** DHS Secretary Kitty Rhoades addressed the Forum and championed the Music and Memory Initiative and its impact on persons with dementia (see: [www.dhs.wisconsin.gov/music-memory/](http://www.dhs.wisconsin.gov/music-memory/)). She stated her goal is to expand this grant program from the current 100 nursing homes to all nursing homes and then to assisted living facilities. Secretary Rhoades hopes to launch Phase Two of the Music and Memory grant program later this summer. Over 130 nursing homes are currently on a waiting list to receive a DHS grant to cover the equipment and certification training. These 130 facilities will be given first priority in the grant selection process. Phase Three would extend the grants to the remaining 170 nursing facilities and Phase Four would involve assisted living facilities. Secretary Rhoades also reviewed the Department’s Dementia Care System Redesign plan and highlighted efforts to bring dementia training to caregivers, families, advocates, law enforcement and providers. This training could be available at a discounted fee from the University of Wisconsin-Oshkosh later this summer.
**Statements of Deficiencies**: Effective July 1, 2014, assisted living providers will have 10 days, not the currently allowed 30 days, to submit their plans of corrections (POC) in response to a BAL-issued statement of deficiency (SOD). This change will coincide with BAL’s plan to post both the facility SODs and the POCs on-line beginning July 1st. Also, any assisted living enforcement letters issued by BAL will be posted.

**BAL Director Alfred Johnson Reports**: Johnson noted:

- State of Assisted Living-CY 2013: A version of Johnson’s review of the Wisconsin assisted living system for 2013 has been posted at: [www.leadingagewi.org/media/9924/alcy13.pdf](http://www.leadingagewi.org/media/9924/alcy13.pdf). It is worth noting that 9.3% of all assisted living providers made up 100% of all BAL enforcement actions last year. Johnson’s presentation also provides information on the top ten cites from each of assisted living provider. He also touted the Wisconsin Coalition for Collaborative Excellence in Assisted Living (WCCEAL) program for significantly improving care and services in residential settings.

- Assisted Living complaints are being made on-line at: [https://4.selectsurvey.net/DHS/TakeSurvey.aspx](https://4.selectsurvey.net/DHS/TakeSurvey.aspx). The person making the complaint can complete a confidential complaint in which the person’s name will not be disclosed, or the person may choose to remain anonymous and will not need to provide their name in the complaint.

- 5-8 Bed CBRFs (Class C) are required to meet sprinkler requirements effective April 1, 2014. At least 43 such facilities have not responded to a BAL survey indicating their regulatory compliance. (see [www.dhs.wisconsin.gov/rl_dsl/publications/10-023.htm](http://www.dhs.wisconsin.gov/rl_dsl/publications/10-023.htm))

- BAL plans on initiating the process to update the CBRF rule, DHS 83, later this year.

- BAL will consider hosting a webinar on falls in 2014.

- The UW-Oshkosh has updated its CBRF Medication Administration curriculum. All instructors must begin using this updated curriculum by May 1, 2014 ([www.dhs.wisconsin.gov/rl_dsl/publications/10-023.htm](http://www.dhs.wisconsin.gov/rl_dsl/publications/10-023.htm)).

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**Quick Questions on Amenities for Independent Living Facilities**

*Quick Questions* is a means of collecting and sharing valuable information between our member/subscriber independent living professionals.

We would like to thank the following member independent living facilities for responding to the Amenities *Quick Questions*:

- Bethany St Joseph Corporation
- Birchwood Apartments
- Capitol Lakes
- Carmel Residence (Lutheran Homes of Oshkosh)
- Christian Community Home of Hudson (Wintergreen Apartments)
- Clement Manor
- Evergreen
- Gabriel’s Villa (Lutheran Homes of Oshkosh)
- Good Samaritan Scandia Village
• Good Samaritan Scandia Village - Woodview
• Good Samaritan Society – Settlers’ Trail
• Heritage Residential Living/Thedacare
• Grace Apartments
• Heritage Homes
• Homme Heights Inc. (Forest Park Village)
• Homme Home of Wittenberg/Stone Crest Residence
• Inspiration Ministries
• Jewish Home and Care Center
• Lasata Senior Living Campus
• Linden Heights
• Luther Manor
• Lutheran Homes and Health Services, Inc.
• Memorial Health Center – Country Gardens
• Oakwood Lutheran Senior Ministries
• Oakwood Village
• Oakwood Village Prairie Ridge
• Odd Fellow Rebekah Home Association
• Residence at Bluff Haven
• Saint John's Communities, Inc.
• Shorehaven
• Skaalen Nursing and Rehabilitation
• Stone Terrace RCAC (part of Beaver Dam Community Hospital)
• Tudor Oaks
• Water’s Edge

The results of the Amenities Quick Questions are posted to the Independent Living Facility Resource Clearinghouse on our Member/Subscriber-restricted website at: www.leadingagewi.org/media/9957/QQAmenities.pdf.

On behalf of the LeadingAge Wisconsin Independent Living Facility Network, thank you for taking the time to share your information through these Quick Questions. Our intent is to continually work to provide you relevant and timely information that you find useful and valuable in your organization. It is only through the participation of members/subscribers such as you that we can achieve our goal of serving you better.

Legal Update

OIG Opinion Signals Approval of Narrow Placement Agency Referrals to Senior Residential Communities

In January 2014, the U.S. Department of Health and Human Services (HHS) Office of Inspector General (the OIG) released an advisory opinion (the Opinion) regarding the enforcement of the federal Anti-Kickback Statute (the AKS) as it relates to referrals from a placement agency to senior residential communities. Specifically, the Opinion addresses contracts under which a placement agency is compensated for referring new residents to senior communities where they may eventually receive services paid for by federal health care programs (the Arrangement).

After detailing the precautionary steps the parties in the Opinion took to prevent and avoid unlawful
kickbacks, the OIG explained that it will not impose sanctions in connection with the Arrangement. The OIG reasoned that although the Arrangement could potentially generate prohibited remuneration under the AKS if the requisite intent to induce or reward referrals of federal health care program business were present, the facts and circumstances of the Arrangement, in combination, adequately reduce the risk of prohibited conduct.

To read the Legal Alert from Reinhart Boerner Van Deuren, LeadingAge Wisconsin's Legal Counsel, in its entirety, please click on the following link: www.leadingagewi.org/media/9902/la031314.pdf.

Employment Opportunities

Seven new Positions Available have been posted under Employment Opportunities on the LeadingAge Wisconsin website. The Positions Available include: Director of Nursing in Mukwonago (EO-PA-14); Chief Financial Officer in Sheboygan Falls (EO-PA-15); Chief Operating Officer/Nursing Home Administrator in Fond du Lac (EO-PA-16); Chief Operating Officer in Dousman (EO-PA-17); Business Office Manager in Weyauwega (EO-PA-18); Sr. Executive-Human Resources (EO-PA-19) in Wausau; and an Administrator in Willmar, MN (EO-PA-20). For more details regarding these new listings or other recently-posted Positions Available, please go to: www.leadingagewi.org/members-services-education/employment-opportunities.

Calendar

March 21, 2014 – CBRF Task Force Meeting, DeForest
March 26, 2014 – Budget/Finance Committee Meeting, DeForest
March 26, 2014 – Executive Committee Meeting, DeForest
April 2, 2014 – CBRF/RCAC Nurse Network Meeting, DeForest
April 3, 2014 – Region I Meeting with DQA, Wauwatosa
April 9, 2014 – RCAC Task Force Meeting, DeForest
April 9, 2014 – Public Policy Task Force, DeForest
April 10, 2014 – Board of Directors Meeting, DeForest (NOTE: date change)
April 11, 2014 – Region II Meeting, Madison
April 11, 2014 – Region V Meeting, Wittenberg
April 15, 2014 – Region III Meeting, West Salem
April 29, 2014 - Health Issues Forum (Dementia Care), DeForest
May 7-9, 2014 – LeadingAge Wisconsin Spring Conference, Winning Strategies, Wisconsin Dells

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