

ACOG Helps Clemson Area Chamber Attract New Businesses

The ACOG Information Services Department recently assisted the business recruitment efforts of the Clemson Area Chamber of Commerce through the preparation of a comprehensive report addressing the demographics within 5-, 10- and 15-mile radii from the City of Clemson. Chamber President Eddie Nail wished to illustrate the potential client base of an area encompassing 11 municipalities, and extending as far as the Cities of Anderson, Easley, Pickens and Walhalla.

Using *InfoMentum*, ACOG's customized GIS application, staff selected the census block groups most closely corresponding to each radius boundary. Demographic characteristics such as population and income were summarized for the selected block groups using data from Census 2000 and projections for 2005 and 2010 from Claritas, Incorporated.

The reports revealed a projected population of more than 190,000 persons within a 15-mile radius of Clemson by the year 2010. The average annual household income is projected to be \$61,702 in 2010. The number of housing units between 2000 and 2010 is projected to increase by 11 percent.

The COG routinely prepares customized maps and reports at the request of the Clemson Area Chamber. "We've come to depend on the professionalism of the COG staff and the quality of their products and services to make us look good," Nail said. This report will be used as one of the Chamber's many tools to show prospective businesses what current businesses and



residents already know – that the greater Clemson area is *In Season, Every Season*. This slogan represents the idea that no matter what season a person chooses to visit the Clemson area, they will find a myriad of activities that will provide entertainment, education and enjoyment for all family members.

The ACOG *InfoMentum* team works with clients to create customized demographic reports. Pricing depends on the number of radius rings and requests for extra map services. For more information, or to place an order, please contact the Information Services staff at 864-242-9733.



DID YOU KNOW?

The Appalachian COG was the first regional council formed in South Carolina. In 1965 it was known as the Appalachian Advisory Commission, which was created to advise the Governor on the use of Appalachian Regional Commission (ARC) funds.

Senator Larry Martin Talks Taxes



Senator Martin addressed the ACOG Board at the September 22 ACOG board meeting.

Senator Larry Martin (R-Pickens) addressed the ACOG board at its September meeting on the passage of new property tax laws. Sen. Martin outlined property tax changes including the new one cent addition to the sales tax, increased state funding of education, reductions in school taxes for owner-occupied homes and briefly discussed a new county local option sales tax. Sen. Martin also discussed the pending November constitutional referendum which would place a 15 percent cap on property reassessments.

Board members asked a number of questions, pointing out the complexity of the laws and noting how different counties will be impacted in different ways by the sweeping legislation. The senator explained that the General Assembly will have other opportunities to make additional changes when it reconvenes in January.

Summaries and discussions of the new tax legislation can be found on the Municipal Association and County Association web sites. For additional

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Ombudsman Corner

The Admissions Process: “Responsible Party” Provisions in Admission Agreements

What You Hear: “We can’t admit your mother unless you sign the admission agreement as a ‘Responsible Party.’”

The Facts: A nursing home cannot require anyone but the resident to be financially responsible for nursing home expenses.

The Nursing Home Reform Law prohibits a nursing home from requiring a family member or friend to become financially liable for nursing home expenses. (See Section 483.12 (d) (2) of Title 42 of the Code of Federal Regulations.) The signature of a family member or friend can be required only if they are signing on the resident’s behalf. For example, it is appropriate for a family member to sign an admission agreement as the resident’s appointed agent, because in that case the financial liability belongs solely to the resident. Nursing homes already are protected if a resident runs out of money: the Medicaid program will pay for residents who otherwise are unable to pay. Also, it is unfair for a nursing home to force a family member or friend to take on an unspecified and potentially huge liability.

Some nursing homes use “Responsible Party” signatures as a way of tricking a family member or friend into becoming financially liable. Usually, the “Responsible Party” signature line doesn’t explain what it means. As a result, they will assume that they are simply a contact person. What they don’t realize is that a paragraph in the middle of the admission agreement defines “Responsible Party” as someone who is 100 percent liable financially for nursing home expenses. Because admission agreement packets commonly are from 20-60 pages in length, a family member almost never will find, read and understand the “Responsible Party”

definition. Generally, the definition paragraph claims, falsely, that the “Responsible Party” understands that she is not required to become financially liable for nursing home expenses, but nonetheless is volunteering to do so. This language represents a strategy by nursing homes to evade the Reform Law. As discussed earlier, the Reform Law prohibits a nursing home from requiring a family member or friend to become financially liable for expenses. Nursing homes claim that this prohibition doesn’t apply to “Responsible Party” provisions because (according to nursing homes) the “Responsible Parties” are **volunteering** to become financially liable.

The nursing homes’ arguments are wrong. For three reasons, “Responsible Party” provisions are illegal and unenforceable. The first reason is that the provisions often are used to require guarantees, in direct violation with the Reform Law. The second reason is that the provisions are deceptive. Generally a family member or friend believes that they are just a contact person. The third reason is that neither the resident nor the Responsible Party receives any benefit from the signature. Under general contract rules, a contract is enforceable only if each party to the contract gets a benefit.

Some nursing home admission agreements claim that a “Responsible Party” is not guaranteeing the resident’s financial obligations, but instead is promising to take all necessary steps (including filing of Medicaid applications) and to arrange for payment of the bills.

Information gathered from “20 Common Nursing Home Problems-and How to Resolve Them.”

From Your Local Ombudsmen: Nancy Hawkins, Jamie Guay, Rhonda Monroe, Jessica Arnone, Sandy Dunagan and Celia Clark; phone: 864-242-9733.

Development Corporation News

If a commercial project needs innovative financing, the lending professionals at the Appalachian Development Corporation (ADC) should be consulted, according to the National Association of Development Organizations (NADO). The ADC was recently recognized as a recipient of a 2006 NADO Innovation Award for one of the ADC’s economic development funding programs. This program utilized the Small Business Administration’s (SBA) 504 fixed assets funding program and New Market Tax Credit funding through the Community Reinvestment Fund (CRF). CRF provided primary funding with the rate based on the project being in a qualified New Market Tax Credit area. The SBA portion of the funding was done on a 20-year, fixed rate basis. At the time the loan was funded, the cost to the borrower was below 7 percent interest for the first seven years. This fixed rate was achieved while the Prime Interest Rate was at 8-1/4 percent. NADO recognized the use of the public funding sources and the below-market interest rate in making the 2006 Innovation Award. This is the second NADO award for “Innovation in the area of Economic Development Funding.”

The ADC has access to multiple funding sources and the expertise to provide applicants with the lowest cost and best chance of success for their projects.

Recent projects approved by the ADC include: \$200,000 for Western Carolina Railway Service to purchase and operate a short line railway in Anderson County; \$130,000 to Country Crossroads Convenience Store for a new store in southern Anderson County; \$45,000 to J.J. Venterprise, LLC, to purchase the assets of an existing business, selling and installing Solatube products; \$125,000 to My Brother’s Chocolate Factory, a proposed fudge

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Dental Care — Critical to Many Health Issues Caregivers Face Daily

Part of what the Family Caregiver Support Program does is provide information to the people they serve. Since our clients run the gamut from children to senior adults, many medical issues impact the situations caregivers find themselves in daily.

One such issue of health that has long been overlooked is the need for dental care and the impact it can have on the health of anyone of any age. *The Wall Street Journal* recently reported on a study done by Aetna and the Columbia University College of Dental Medicine on the impact of dental and oral care. The two-year study of 144,000 insured patients found that early periodontal treatment reduces overall medical care costs by 9 percent for diabetes, 16 percent for coronary artery disease and 11 percent for strokes. Another study, published in the *Journal of Periodontology*, finds that early treatment of pregnant women with serious gum disease reduces preterm births by 84 percent. According to Kenneth Krebs, President of the *American Academy of Periodontology*, bacteria found around the tooth might cause the body to produce a substance that induces labor. The same bacteria might also prompt the body to produce substances that clog arteries, exacerbating heart disease and stroke risk. In addition, any inflammation in the body might make it difficult for people with diabetes to control blood sugar levels. As Glenn Meleynk, dental consultant at Blue Cross Blue Shield of Michigan, said, "We can save medical costs by getting people to have dental care at the right time in their lives." (McQueen, *Wall Street Journal*, 9/19/06)

This is just one of the issues caregivers and their families face daily. If a health issue is of concern to you as a caregiver of a senior or child, our program is prepared to assist you with gen-



eral information or to provide sources for the information you need. The Family Caregiver Support Program strives to help in the areas of information, access assistance, counseling, support, training, respite and supplemental services. You can contact Sam Wiley or Debra Brown by calling 864-242-9733 within Greenville County and 1-800-925-4077 from any place outside the county.

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information go online to www.masc.sc/Legislative/constitutional_amendment_4.htm, www.masc.sc/legislative/hotissues.htm, and www.sccounties.org/TechBulletin/CURRENT.htm



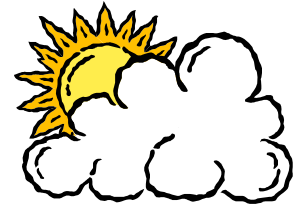
(ADC continued from page 2)

manufacturing operation in northern Spartanburg County; and \$200,000 in working capital funding for Freeman Mechanical, Inc., of Greenville.

If you are aware of a project that could benefit from low-cost, fixed-rate financing, contact the Appalachian Development Corporation at 864-242-9733.

DHEC Working to Meet Federal Air Quality Standards

The Council of Governments has worked with the Early Action Committee for three years, including representatives from Anderson, Greenville, and Spartanburg counties, to implement the Early Action Plan to improve air quality. This plan involves state and local governments, industry,



environmental groups, and other interested parties working together to develop ozone reduction strategies. These strategies will include the use of low sulfur fuels, congestion management planning, and improved air quality monitoring and increased controls on industrial sources of pollutants.

The Early Action Plan allowed a deferment of the effective date of additional regulations provided the terms of the Early Action Plan, including all established milestones, are met. In a report given to the COG Board September 22nd, Ms. Myra Reece reported that the region is currently meeting milestones and is currently on track to meet attainment standards by December 31, 2007. While the current status is good, she also emphasized that it is important that we are vigilant as new standards are established. The possible tightening of standards for ground level ozone and particulate matter could still lead to non-compliance with these standards. This would cause all, or portions, of the region to be designated as non-attainment areas. With that designation would come additional permitting requirements and a potential loss of federal funds for roadway projects that could deter future development. These requirements would be in place until such time as the region comes into compliance with air quality standards.

September Youth Services Fair



WorkLink recently hosted its Third Annual Youth Services Fair on September 14, which featured resources to boost careers for youth and at-risk youth. This half-day conference provides youth service providers, school guidance counselors, social workers and anyone who works with youth ages 14 to 21 a valuable opportunity to network with their peers. Through this networking, the providers increase awareness of the resources available for youth in Anderson, Oconee and Pickens counties.



Cicely Gambrell, Emma Campbell, and Carlene Bennett of SHARE in front of their display.

Through the event, more than 100 attendees and more than 20 exhibitors learned how to capitalize on the resources in the region to help mentor and direct youth and young adults as they begin to choose education and career paths.

WorkLink is a non-profit organization representing Anderson Oconee and Pickens counties to connect companies to employees.

Reauthorization of the ARC Blocked

On September 21, the U.S. House of Representatives rejected a bill (S 2832) that would have reauthorized the Appalachian Regional Commission (ARC) through 2011 because it did not include anti-earmarking provisions. Although a slight majority (215 – 204) of the House voted for the bill, which passed the Senate by unanimous consent in July, it failed to gain the two-thirds majority required for passage needed under suspension of House rules. The current authorization for ARC expired on September 30, the end of the federal fiscal year.



Appropriators recently began earmarking funds that would otherwise be distributed via a funding formula agreed upon by the 13 states that make up the Appalachian region. This earmarking process benefited some states while hurting others. The House version of the bill (HR 5812) would require that an earmark for a particular project come out of that state's funding allocation. Although the House bill has bipartisan support from the leadership of the Transportation and Infrastructure Committee, the bill hasn't yet been marked up. James Oberstar, the ranking Democrat on the Committee, will press House leaders to bring the bill back to the floor with anti-earmarking language.

Annual Enrollment Period for Medicare Prescription Drug Program — November 15 — December 31



The annual enrollment period for the Medicare Prescription Drug Program is November 15—December 31. You can switch to a new Medicare drug plan during this time each year. The coverage will start January 1 of the following year. Once you enroll in a Medicare drug plan, you are generally enrolled for a calendar year.

In special circumstances, Medicare may give you an opportunity to switch to another Medicare drug plan. For example, if you permanently move out of your drug plan's service area; if the plan stops offering prescription drug coverage; or if you enter, live in, or leave a nursing home.

During this AEP (annual enrollment period), you may switch your current Medicare drug plan in one of the following ways:

- Join another plan
- Call 1-800-MEDICARE (1-800-633-4227)

Joining a different Medicare drug plan will disenroll you from your current plan. For assistance in comparing plans, call 1-800-MEDICARE, the S. C. Office on Aging at (800) 868-9095, or contact the Appalachian Area Agency on Aging at (864) 242-9733.

VIEWPOINT

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Bob Strother Named the First Recipient of the Jack E. Millwood Helmsman Award

Former ACOG executive director Bob Strother was in for a surprise at the September 22nd Board of Directors meeting. After serving thirty years with the agency, including the final eighteen as executive director, the September session would mark Bob's last Board meeting prior to his retirement. Before letting him go, the Board commemorated his dedication to the agency and tremendous leadership by naming him as the first recipient of the Jack E. Millwood Helmsman Award. This award, named in honor of original and long-time ACOG Board member Jack Millwood, who retired last year, is reserved for people whose leadership has left an extraordinary impact on both the organization and the Appalachian region. In reflecting upon the accomplishments of the Council of Governments during Bob's tenure, the presentation of this award to Bob was an easy and clear-cut decision for the Board.



The Helmsman Award was not the only honor bestowed on Bob that day, however. In addition, the Board of Directors dedicated the ACOG building in his name. This honor was in recognition of the effort, innovation, and sheer persuasion undertaken by Bob in the mid-1990's to make the COG building a reality. The construction of this facility is perhaps his most enduring achievement.