

THE



BULLETIN



Issue 43.01

January 2017

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Champions of Residents' Rights Since 1975

The POA Website - www.poa4us.org

Villages Lifelong Learning College (LLC) CLOSED

POA Supports Housing the LLC Under The Village Center Community Development District (VCCDD)

The POA was saddened, as were residents across The Villages, by the announced demise of the very popular Lifelong Learning College (LLC), which served over 18,000 residents. Randy McDowell, Villages Charter School Director of Education, in a front page bombshell in the December 2, 2016 issue of *The Villages Daily Sun*, is quoted, "...the spring semester has been canceled and the college dissolved effective immediately..."

Since that announcement, the POA has been reviewing the available public records, and has consulted with two POA members who are retired attorneys, to get a better understanding of the issues and parameters that might be involved in reinstating the LLC in some other form. Additionally, POA President Cliff Wiener has been in contact with District Manager Tutt offering the assistance of the POA if there is a place for the LLC under the VCCDD umbrella.

SUMMARY OF THE LAWSUIT

The following is our understanding of the complicated situation in simplified form:

The plaintiffs, a group of 32 deaf residents of The Villages, sued to gain assistance when attending certain events in The Villages. The suit was brought under the Americans with Disabilities Act (ADA). That law requires rea-

sonable accommodation be made for people with disabilities under specified circumstances.

The defendants were the Sumter Landing Community Development District (SLCDD), the Village Center Community Development District (VCCDD), and The Villages Charter School, Inc. (The Villages Lifelong Learning College is merely a registered "fictitious" name under which the Charter School conducts adult education. It is not a separate entity.) The VCCDD and SLCDD are the commercial districts that encompass Spanish Springs and Lake

Sumter Landing. They own the amenity facilities within our residential districts. Although the lawsuit was brought some time ago, news of it became publicly known only upon the publication of the *Daily Sun* article.

The assistance requested by the plaintiffs was for sign language interpreters, and the plaintiffs also asked for compensatory damages.

The events for which the plaintiffs requested interpreters can be divided into three groups: 1) activities conducted by the CDDs, 2) Resident Lifestyle Groups (RLG - clubs and other volunteer groups organized and run by residents) meeting in CDD facilities, and 3) classes conducted by the LLC.

The defendants moved for summary judgment, i.e., dismissal without a trial, on the grounds that, on undisputed facts, the plain-

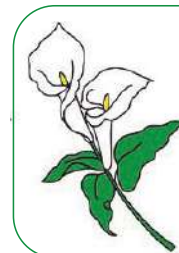
(Continued on page 2)

Tuesday, January 17, 2017
POA GENERAL MEMBERSHIP MEETING
Third TUESDAY of the Month - 7PM
LAUREL MANOR RECREATION CENTER

**The Villages Regional Hospital:
Improvements to Better Serve
the Residents of The Villages**

*Presented by Michael Pittman, Vice President,
Chief Clinical Officer and Site Administrator,
and Nancy Williams, Director of Nursing*

Followed by Questions & Answers
Audio and Visual in Overflow Room
Donuts and Coffee for All After the Meeting!
All Residents Welcome - Come and Join Us!



The POA wishes to express its deepest condolences to District Manager Janet Tutt and her family on the recent passing of her husband, Wayne Tutt. Our heartfelt thoughts and prayers are with them during this difficult time.

Lifelong Learning

(Continued from page 1)

tiffs were not entitled to any relief. The CDDs agreed that they have an obligation to provide, upon request, sign language interpreters or other reasonable accommodations for activities sponsored and conducted by the CDDs, and they do so. That left **RLG meetings in CDD facilities** and the Charter School, which operates the **Lifelong Learning College**, asking for summary judgment.

The court granted the CDDs summary judgment with respect to the RLGs, ruling that the RLG activities were not covered by the relevant law since they operated independently of the CDDs, which are governmental units. As to the Charter School (and its LLC), defendants relied on the argument that providing sign language interpreters was not practical because of cost and availability. The court concluded that key facts were in dispute and that the Charter School was not entitled to summary judgment. However, the court pointed out that there were other defenses available on which the defendants might be entitled to summary judgment, but defendants had not argued these defenses in their motion.

An additional issue concerned whether individual plaintiffs might be entitled to an award of damages for having been denied access to the LLC (if plaintiffs prevail at trial on the fact issue of reasonable accommodation). The court held that there was a fact issue on this point, so it would have to go to trial.

The bottom line is that the court did not, at this stage, find any of the defendants liable for anything. It found one of the claims (LLC classes) should go to trial, where liability would be determined. Even then, the court pointed to additional arguments on which defendants might gain judgment without trial. **But, nothing in the court's decision required or necessitated**

The POA *Bulletin* is published monthly by the Property Owners' Association of The Villages, Inc. Articles represent the opinion of the POA or the writer, and Letters to the POA postings represent the opinions of the writers. Care is taken to ensure that facts reported herein are true and accurate to the best knowledge of the POA and are taken from reliable sources.

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the Charter School to shut down the LLC.

SO WHY DID THE CHARTER SCHOOL CLOSE THE LLC?

Our answer to that question is that we don't know anything beyond what was published in the *Daily Sun* article and that was sketchy, at best. School systems throughout the country operate adult education programs in compliance with the provisions and protections of the ADA. Why cannot the Villages Charter School do the same? In considering that question, remember that the Developer "controls" all of the defendants in the case – the two CDDs and the Charter School. The question then becomes, **why did the Developer** decide to shut down the LLC?

Closing the LLC will not end the lawsuit against the Charter School. According to Randy McDaniel (the Charter School Director), as quoted in the *Daily Sun* article, the plaintiffs refused to accept defendants' reasonable settlement offers. We don't know the details of the offers other than the vague description in the *Daily Sun* article. But it appears that the only benefit to the Charter School, from shutting down the LLC, is that IF the Charter School was found liable for not providing reasonable accommodations. And, IF the plaintiffs were able to show that the failure to provide appropriate auxiliary aids was the result of **intentional** discrimination and were entitled to compensatory damages, there would likely be no damages awarded for the period after the LLC's closure. How significant those damages, if any, might be, we don't know at this point.

WHAT'S NEXT? Since the announcement that the Lifelong Learning College (LLC) would be closing, the POA Board members and the *Bulletin* have received dozens of emails and phone calls, similar to the one below, regarding the announced closing of the LLC:

(Continued on page 4)

POA

Mission Statement

The Property Owners' Association of The Villages is an independent organization devoted to our home ownership experience.

The Vision/Objective of the POA is to make The Villages an even better place in which to live, where Residents' Rights are respected, and local governments are responsive to the needs and interests of residents.

The POA serves Villagers through programs of education, research, analysis, representation, advocacy, and legislative action.

The POA also functions as a "watchdog" organization overseeing the actions of our Developer and our local governments.

Specific POA attention is focused on housing, community, neighborhood, and local government issues. Special emphasis is focused on the Amenity Authority Committee (AAC), our Community Development Districts (CDDs), the Florida Chapter 190 law that regulates CDD operations, and our Developer.

The POA has no ties or obligations to the Developer of The Villages which might compromise the POA position or its advocacy of Residents' Rights.

The POA, founded in 1975, is the original homeowners' organization in The Villages. Membership is open to all Villages residents. □

The Villages Residents' Bill of Rights

RESIDENTS have RIGHTS to:

1. Be treated in a respectful, fair, and responsive manner by the Developer and our local government officials.
2. Have decision making authority for important issues in our community.
3. Elect our top government officials and approve appointments of the top administrative officials in our community.
4. Approve major purchases of common property and the related debt obligations assumed by residents.
5. Have local governments that are free of any conflict of interest issues.
6. Be charged honest monthly amenity fees that are used only for the stated purposes.
7. Receive full disclosure when purchasing a home here in The Villages.
8. Receive an objective market appraisal for major purchases of common property.
9. Receive objective, unbiased, unslanted news reporting from local news sources.
10. Be informed beforehand by the Developer on any major change in our community. □

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Happy New Year! *A Message from POA President, Cliff Weiner*

With the holidays behind us, and a new year ahead, the POA is more committed than ever to our mission of serving the interests of residents and "watching out" for residents' rights. Last year there was a lot of turmoil for many residents as The Villages Health turned its back on Original Medicare insurance holders, and the year ended with the demise of the Lifelong Learning College. The Developer sold the amenity facilities and fees south of CR466 to the Sumter Landing Community Development District (SLCDD).

As we enter this new year, the POA continues to advocate for the LLC to be saved (see story, Page 1) and to work to ensure that residents understand the critical differences between the Project Wide Advisory Committee (PWAC) and an Amenity Authority Committee, as it relates to management of the amenities and fees south of CR466.

What will 2017 bring? My hope is that we see the LLC reopen as quickly as possible. In addition, I hope that many groups can come together to ensure that The Villages really is "The Friendliest Hometown" and "The Healthiest Hometown" in America.

POA Director Wanted

Due to the retirement of long-time board member, Myron Henry, the POA Board currently has an opening for a Director. We are seeking candidates who want to make The Villages an even better place in which to live, where Residents' Rights are respected, and the Developer and local governments are responsive to the needs and interests of residents.

The POA serves Villagers through programs of education, research, analysis, representation, advocacy and legislative action. The POA has no ties or obligations, to the Developer of The Villages, which might compromise the POA position or its advocacy of Residents' Rights.

Special emphasis is focused on the Amenity Authority Committee, the role of Project Wide Advisory Committee, Community Development Districts (CDDs – both residential and commercial) and the Florida Chapter 190 Law that regulates CDD operations. If you have an interest in pursuing a position on the POA Board, please contact Cliff Wiener, President of the POA, at 352-430-8497, for more information. □

I hope to see you at one of our monthly membership meetings (held on the third Tuesday at 7PM at Laurel Manor). We do our best to provide timely and informative programs, and we're especially pleased to have Mr. Michael Pittman, Vice President, Chief Clinical Officer and Site Administrator, and Ms. Nancy Williams, the Director of Nursing, from The Villages Regional Hospital at our meeting this month.

When issues come up, please be assured that the POA will get involved and we'll keep you informed via our monthly *Bulletin*. POA members will receive an email alert if something happens outside of the *Bulletin* publishing dates.

If you were a member in 2016, you will have received a pre-filled form for renewal. Thousands of you have already renewed your membership, and we appreciate your support. To those of you who haven't renewed, please do so right away so you don't miss anything that might (and usually does!) crop up without warning.

If you've never been a member, we hope you will see that you will receive well more than the \$10 annual investment with the *Bulletin*, programs, advocacy, and member email alerts. You can use the form below. Members also receive discounts from many businesses. See pages 22 and 23 for the full listing.

Wishing All a Happy and Healthy New Year! □

POA 2017 AND BEYOND MEMBERSHIP & CONTRIBUTION FORM

Please complete each section and return to: The POA, P.O. Box 386, Oxford, FL 34484

PLEASE PRINT! or Use the **ONLINE FORM** found online at www.poa4us.org

New Member Renewal Number of People in Household: _____

NAME(S)(1) _____
(SAME LAST NAME)

NAME(S)(2) _____
(DIFFERENT LAST NAME)

ADDRESS _____

VILLAGE _____ VILLAGES ID# _____

CITY/STATE/ZIP CODE _____

PHONE _____

EMAIL _____

(We respect your privacy. Your email address is for POA Official use ONLY)

MEMBERSHIP

DUES (Please Select One):

One year - 2017 - \$10 per/household

Two years - 2017/2018 - \$20 per/household

Three years - 2017/2018/2019 - \$30 per/household

ADDITIONAL CONTRIBUTION IF DESIRED: Please accept my additional contribution to the POA in the following amount: \$ _____

TOTAL AMOUNT FOR DUES AND ANY CONTRIBUTIONS: \$ _____

Enclosed is a Stamped, Self-Addressed Envelope, along with this form and my check. Please mail my Membership Card to me. Please hold my POA Membership Card for me to pick up at one of the monthly POA Meetings.

THANK YOU FOR YOUR SUPPORT OF THE POA

Lifelong Learning

(Continued from page 2)

Q. Can you explain, to the public, the lawsuit that caused the Learning College to close? There is virtually very little information about it in the Daily Sun. Leon Strone

R. We hope that the above summary helped explain more of the details of the lawsuit. For residents who are not currently POA members, the following are excerpts from the 12-07-16 email alert sent to POA members that addresses the action that has begun on the part of the VCCDD to save adult education programming, as well as the two most common questions we have received about the lawsuit and any other ramifications.

Great News! At their December 7th meeting, the Village Center Community Development District (VCCDD) was asked if they would consider sponsoring an LLC. Steve Drake, VCCDD Chair, asked what would keep the District from being sued like in the current situation. District Manager Janet Tutt replied that as the District is a government

entity, they must comply with all laws including ADA, and if requested, the VCCDD would provide interpreters for any class where needed, just as they do for any other District sponsored activity. By a unanimous vote the Board authorized District Manager Tutt to develop a plan **to try to save** the Lifelong Learning program. She advised that she had already been gathering operating and financial information from the LLC. Ms. Tutt also clarified that the District would not be "taking control of" the existing LLC; rather, it would develop a new program.

Unfortunately, she said that the earliest it could possibly get up and running would be for the summer term. She said that District Staff would "need to crunch numbers and get back to the Board," hopefully at the January meeting.

Your POA Board of Directors met on December 6th to discuss the ongoing lawsuit issues. NOTE, this is a very complicated case, but we will try to help you answer the two most frequently asked questions we have received.

The question we hear the most concerns

whether or not the plaintiffs will next go after our **Resident Lifestyle Groups** (RLG). Actually, the plaintiffs already filed against the RLG, which are affiliated with the District, but consist of all volunteer activities that are not actually operated by the District, so they passed the test of being clear of requirements to follow ADA regulations in the initial Court decision. As public entities, the Districts themselves are required to follow the requirements for all **DISTRICT SPONSORED** events.

A Court pleading on this issue reads as follows: "The Court agrees with plaintiffs that the evidence reflects that the Districts, through the Recreation Department, seek out volunteers to establish new RLGs, help the volunteer leaders "advertise" the new RLGs to gauge interest, provide advertising of RLG events, and facilitate the formation of RLGs and their use of Recreation Department facilities. As such, the Court recognizes that the facts of the instant action do not fit neatly into the ADA's regulatory provisions or the cited precedent. **However, the undisputed facts establish that while the Districts facilitate both the formation and operation of the RLGs, the RLGs programs, activities, and events are planned, controlled, and led by private residents of The Villages, and actions taken on behalf of the RLGs are not actions of the Districts. Thus, they are not required to meet ADA requirements.**" A challenge to this Judge's Opinion was on the docket in the **11th Circuit Court of Appeals** (Atlanta, Georgia) for the week of **December 12, 2016. We have no time line as to when the Court decision will be issued.**

The second most frequently asked question is why did the defendants decide to disband the LLC and not try to win the lawsuit? The simple answer is that no one has provided any information. Maybe, someday, the LLC will explain its actions, but the focus now must be on resurrecting this very important program for Villages residents.

The POA would welcome input from any residents who might have expertise in the area of ADA requirements and of any new equipment on the market. Contact Elaine Dreidame at edreidame@hotmail.com.

STAY TUNED! This is a second black eye that Villages residents have gotten this year (the first was news that some 15,000 patients of The Villages Health would be kicked out

(Continued on page 5)

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GOLF CART APPROVED

Lifelong Learning

(Continued from page 4)

unless they bought into the UnitedHealthcare Advantage Plan).

Unfortunately, "what happens in The Villages doesn't stay in The Villages." Another negative column appeared in the *Orlando Sentinel* on December 11. This kind of publicity does not reflect well on "Florida's Friendliest Hometown" and may cause visitors and future homeowners to look elsewhere.

The VCCDD will meet on January 11 at 2PM at the District Office. You can continue to make your voice heard by attending this meeting.

The POA will continue to pursue its mission on behalf of residents' rights and we will continue to keep members informed of any new developments via our email alert. (You must be a 2017 POA member to receive POA email alerts. See Page 3 for a membership application!) □



Martin Luther King, Jr. Day
Monday, January 16

To learn more about the resolution to The Lifelong Learning College

Villages Center Community Development District (VCCDD)
Next Meeting - January 11, 2017 at 2PM
At the District Office (above Starbucks)

Welcome Wednesday
Every Wednesday at 11AM
Also at the District Office - meet with District Staff - Ask for LLC Updates!

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District 7 December 8, 2016 Meeting Highlights Developer Says He Already Pays His Proportionate Share To PWAC For Bridge Island Repair

In a brief reply to a letter sent in November from the District 7 Board of Supervisors asking The Villages of Lake Sumter, Inc. (Developer) to participate in the cost for the Morse Bridge island revetment project, Developer Mark Morse stated that, as a commercial property owner in the Sumter Landing Community Development District (SLCDD, essentially the commercial properties of Lake Sumter), The Villages already pays its proportionate share

per the Project Wide Agreement. Mr. Morse did not address the four questions the letter also asked regarding the design, engineering and life expectancy associated with the construction of the bridge and the island embankment. (See December 2016 *Bulletin* Article on page 7.)

District Counsel Valerie Fuchs said she was not surprised that the Developer didn't answer those questions as they could be viewed as litigious in nature. She also reminded the District 7 Board that it has no jurisdiction with respect to the bridge island because it is a project of District 5, and advised that the formula used for Project Wide allocations is a separate issue.

When asked for clarification of what the District 7 estimated costs would be, as its percentage of Project Wide, District Budget Director, Barbara Kays, said that she could not

speculate on that amount until the project costs become more firm and the Project Wide Advisory Committee (PWAC) determines what, if any, of its reserve funds will be used before the Districts are asked for their contributions.

In actuality, any funds PWAC has in reserve have already been paid by the Districts according to the formula, so the question asked is a valid one: What will be the total share paid by District 7 (and each of the Districts that are members of PWAC)?

CDD Board Discussion About Villa Roads

Rejuvenation. Chair Ron MacMahon and Supervisor Jerry Vicenti raised resident questions and concerns about the recent rejuvenation of villa roads. The most common issue was the marks that are tracked into the driveway, garage, and even the house, from the product that was put on the roads. Did it not dry properly? Property Management Director Sam Wartinbee answered that there are variables to how long it will take the substance to dry, including whether the road surface was wet from residential sprinkler systems (they were asked to refrain from watering the day/night before). Residents were also advised not to drive on the surface for at least 2 hours, and to refrain from walking on it for 24 hours. All that said, the product will wash off the driveways after periods of rain, or can be removed by using the Purple Power Cleaner/Degreaser available at Walmart.

Mr. Vicenti questioned whether the product used on the road is the best available, and Mr. Wartinbee responded that it is the most reasonably priced and commonly used, and only has to be applied every 5 years. □

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Understanding Project Wide Allocations

The issue being raised, again, is the method by which Districts are charged their share of the Project Wide costs. The Project Wide Fund was established in 2003 to provide a "pooling" of resources from each of the numbered residential districts south of CR466 and the SLCDD to pay for maintenance items commonly used by everyone, such as recreation trails and tunnels, landscaping, stormwater retention ponds, even the Morse Bridge island embankment.

Florida Statute 163.01 (2) states that governmental entities can enter into "interlocal" agreements on a "basis of mutual advantage"; and 163.01 (5) (f) provides for a method or formula for "equitably" providing for and allocating and financing the capital, operating costs, and reserve funds. The Agreement states, "The actual cost of maintaining the Project-Wide Improvements shall be allocated among all the Community Development Districts within the Project based upon the proportion of assessable acreage each district represents to the total assessable acreage within the project." That determination was made when the Agreement was first made between

the SLCDD and CDD5 at a time the Developer elected members to both boards.

In 2011, the SLCDD proportion of total acreage requiring maintenance was 49%, while Districts 5-8 had a combined total of 51%. Yet, SLCDD only paid 1.64% of the total Project Wide Improvement assessment, and the residential Districts 5-8 paid 98.36%. Now, with Districts 9 and 10 added to the Project Wide Agreement, the SLCDD paid less than 1% in fiscal year 2015-16. And, while the SLCDD does not believe it has any obligation to pay a higher share for the bridge island project, it has no qualms about residents paying significantly more for structures such as the Lighthouse that sits in Lake Sumter Landing. Additionally, many properties have been carved out of the Districts – commercial plazas and country clubs, to be specific – that benefit from the maintenance of items such as the multimodal paths and landscaping, yet pay no share to the Project Wide fund.

An amendment was passed in 2006 revising the original Amendment clause that stated the Agreement could only be amended by mutual agreement to read "As additional Project Wide Improvements are developed within the Project, Sumter Landing District by resolution, shall add such improvements to the Exhibit A Project Wide Improvement listing as attached to this Agreement." The SLCDD,

which now pays less than 1% of the total allocated costs of Project Wide, has complete authority to add improvements to the list, while the residents pay more than 99%.

SLCDD will control maintenance and amenities.

The POA believes the District 7 Board of Supervisors is right to raise these questions and wonders why the other Boards are not doing the same. Your District Board of Supervisors is your only resident-elected governmental body south of CR466. The SLCDD (all Developer-elected and currently none who are residents of The Villages), with its purchase of the amenity facilities and fees for districts south of CR466, will now control the Project Wide portion of your maintenance expenses and the budgets and decisions about your amenities and fees.

For these reasons, the POA continues to oppose the recommendation to add an amenity advisory component to the duties of the Project Wide Advisory Committee (PWAC), instead of establishing an Amenity Authority Committee as exists north of CR466 that would be elected by residents. Residents can make their opinions known by attending their District Board of Supervisor meetings.

NOTE: The August, September, and October 2011 *Bulletins* had in-depth articles about how the Project Wide Agreement was established, explained the allocations, and provided data that shows the costs, at that time, of each district to the PW Fund, compared to the districts north of CR466 that do not have a Project Wide Agreement. The POA at that time, called for an independent review, yet nothing was done. □

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Amenity Authority Committee (AAC) Meeting Highlights

December 7, 2016

Old Business:

- Capital projects update list is included in the agenda packet and can be accessed on the District website DistrictGov.org under the Amenity Authority Committee tab.
- The sale of District property to the Church of Faith requires approval of a plan that must be submitted to Lake County. Since the District will not be implementing the plan, it cannot submit one, and since the Church does not yet own the property, it cannot submit its plan. District Manager Janet Tutt recommended that the AAC

authorize District counsel to proceed with the sale documents between the Church and the District so that the Church can submit its plan to Lake County. If the County rejects the plan, ownership of the property will revert to the District. The AAC agreed with the recommendation.

- District counsel reported that Lake County has decided – reportedly a determination made by the County Manager – that it does not wish to help the District with the Quick Take Condemnation process to acquire the non Developer-owned properties in the Rio Grande area. District Manager Tutt suggests that the AAC authorize staff and District counsel to work through Lake County staff and elected officials to see if the Quick Take process can be pursued through the County. A question was raised as to whether the AAC could go ahead and purchase the Developer-owned properties, it was determined that there are not enough properties contiguous to one another to be worthwhile. Committee members expressed consensus for District staff and counsel to pursue further discussions with Lake County.
- AAC members requested an overhead of the existing sidewalk at the Mulberry recreation center, as well as the proposed new sidewalk, along with costs, for review at the next meeting.
- Chairman Carl Bell presented a 5-phase plan for reconsideration of the purchase of the 20 back acres of the CR42 property:

- 1) Survey residents (by recreation department) to determine desired amenity additions;
- 2) Offer to purchase back 20 acres with a starting price of \$30,000 per acre;
- 3) Wait for commercial development to put in infrastructure and utilities before developing;
- 4) Execute residents' desired amenities; and
- 5) Tap into utilities at a reasonable cost after commercial development.

After polling the committee members for comments, Lowell Barker (Lady Lake/Lake County), John Wilcox (CDD3), and Ann Forrester (CDD2) each indicated they did not support the plan, and Chairman Bell (CDD1) declared the purchase of the property a dead issue unless someone else brings a plan for consideration.

Don Deakin (CDD4) spoke strongly on the issues of needs and wants, stating that District 4 residents already perceive they do not have adequate recreation facilities, and the ratios of rooftops to facilities is much lower for District 4 than for districts located south of CR466. He also challenged the premise that funds should be held rather than used, citing the existing reserves, additional settlement funds to come in, and reduction of bond payments that will free up additional funds annually. Mr. Deakin stated that the cost to purchase the property is not "big bucks", and that nearly all facilities

(Continued on page 9)

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AAC Update

(Continued from page 8)

ties under the AAC jurisdiction have been renovated and should not require major expenditures for a long time.

Information Items:

- **Phillips & Soulliere Villas Pool Survey:** At the October 12th AAC meeting, the Committee directed staff to proceed with a resident survey that would determine whether the new pools, that will be constructed for the Phillips and Soulliere Villas, would be designated Family or Neighborhood/Adult pools. Results of the pool survey conducted by the Recreation Department were: Phillips Family, 341 and Phillips Neighborhood/Adult, 217; Soulliere Family, 260 and Soulliere Neighborhood/Adult, 301. The staff recommenda-

tion is to designate the Phillips Villas Pool as a Family Pool and the Soulliere Villas Pool as a Neighborhood/Adult Pool.

NOTE: The next AAC meeting is Wednesday, January 11 at **6PM** at the Savannah Center. Please go to the **DistrictGov.org** website for the official minutes, agendas, and meeting schedules. □

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Senior Living Options in The Villages

POA Board Member Bill Yelverton introduced the second in a three-part series on Elder Care at a recent POA Membership meeting. (See "Home Health Care Options" article on Page 14 of the September *Bulletin* for Part 1, available on poa4us.org, the POA website.) Bill stated that one of the issues we face as we age is getting information that may affect us or our families before the situation becomes a crisis.

Maria Norton, Freedom Pointe

Ms. Norton said surveys indicate that 50% of all seniors are concerned about long-term illness, with Alzheimer's as their greatest fear. Yet 90% of those same people have not discussed those concerns with their adult children or their spouses. She stressed the importance of having these "what if" conversations.

At Freedom Pointe there is a group presentation every month. They discuss costs of care and senior living options that include living with children, staying home and using home health care, or staying at home and waiting

until you need assisted living or memory care. There are also independent living options that offer housekeeping and dining, transportation services and activities.

You can also move to a Continuing Care Retirement Community (CCRC) that has independent living, assisted living, and many have memory care and skilled nursing. They can either be rental communities or life care communities. You can move into the independent living of a CCRC and "age in place", having assisted living, memory and skilled nursing facilities available when you need to move to that level of care.

Freedom Pointe is a life care community and charges a substantial entrance fee and a monthly service fee. In a life care community you have guaranteed access to the assisted living, memory care and nursing home. You can frequently have discounted rates on future care. Monthly expenses can run from \$4-6,000 in assisted living, \$5-6,000 for memory care, and \$8-10,000 for nursing homes.

There is also a life care guarantee that says even if you run out of money, the community never asks you to leave, so you have a home there for the rest of your life. There are medical qualifications – you must be in reasonably good health – and meet financial qualifications to ensure a reasonable expectation that you won't run out of money.

Dale Cook, Senior Care Solutions

Mr. Cook said that while most people prefer to "age in place" at home with home health services or family assistance, usually a life event such as illness or a death causes people to look at assisted or independent living options. The biggest challenge is how to pay. When he works with clients, he tries to stay away from assets. Instead he focuses on sources of income – retirement funds, Social Security, Veterans benefits, and long-term care insurance. There is a little known Veterans benefit for people who have served during a time of war, called Aid to Dependents, that can pay up to \$2,000 per month. But it is tricky to apply for and can take time to receive.

Mr. Cook strongly advises that you speak with an elder law attorney to sort through financial and other considerations. He also recommends that you go and visit various facilities, take a tour and talk to people. And, in-

(Continued on page 11)



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Senior Living Options

(Continued from page 10)

involve your children in this exploration process.

Tara Stokum, Brookdale

A part of Freedom Pointe, Brookdale Place offers three levels of care – assisted living, memory care, and Crossings, which is for people in the early days of dementia or memory loss. Ms. Stokum said that some residents need assistance and others don't need help at all. Many travel and many are very active.

There are several different types of assisted living licenses. One is a standard license that is most common. Those facilities provide assistance with dressing, grooming, showering, toileting, transportation, assistance with medications and health monitoring. Extended congregate care licenses can take people who require more assistance with daily living activities, and also provide other services like bandaging and catheter and/or colostomy assistance. A limited mental health license is required if a community anticipates having three or more people with a mental health diagnosis.

Tara cautioned that people often wait too

long before doing their research. If you wait too long, you may miss the opportunity to live in assisted living, where you can have a higher quality of life, in a less restricted environment, for a longer time. She also suggested visiting facilities outside of normal business hours, in the evening or on a Saturday. Then schedule a visit for a full tour.

Bobbi Sarmiento, Sumter Grande Independent Living

Resort or cruise style living is what you will find at the Sumter Grande Independent Living community, which opened, in the past two years, on CR466A. They offer services and amenities that make life easier when you get tired of the upkeep of a home, the house-keeping, the cooking and cleaning, and you want to have a more carefree lifestyle.

Sumter Place is the assisted living community that provides assistance with bathing, dressing, grooming, transportation and other needs. The memory care community is also on CR466A and goes beyond care for people with Alzheimer's and dementia; it can also include other memory related issues that come from diseases like Parkinson's. Their

approach is that everything is based around memory care in a group environment, where the resident is encouraged to use his/her mind on a daily basis, in all aspects of life.

Sumter Grande also has a sister facility, Buffalo Crossing, on CR466 that is an assisted living community. They are also building a skilled nursing facility that will be licensed for 60 beds for rehab services and 60 beds licensed for long-term care.

Independent living is private pay and monthly costs range from \$2,600 - \$6,100.

Questions and Responses

Q1) How do you know what is not included? You really need to check to see what can and cannot be done. You can be told that "whatever you need" will be taken care of, but then find out that is not the case. **R)** Something like a boot, a brace, has to be done in a place that has an extended congregate care license. Compression stockings are covered by Medicare. The state doesn't allow someone from rehab to come into the assisted living facility.

Q2) Where can indigent and/or Medicaid

(Continued on page 12)

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Senior Living Options

(Continued from page 11)

patients go? **R**) Medicaid is run by the state and it does have a health insurance plan catch-all and it does have an assisted living safety net.

If you have a home in excess of \$250,000, you will not qualify for Medicaid, unless you've exhausted those funds paying for your care. Basically, you are asking the state to take on your care for the rest of your life. You are allowed to keep a home under \$140,000 and your car. It will cost \$5-7,000 for an elder care attorney to help you apply for a Medicaid waiver. There are assisted living facilities that will accept Medicaid.

We do not accept Medicaid at Freedom Pointe or Brookdale. Sumter Place assisted living is signed up for a Medicaid waiver and we have a certain amount of Medicaid beds in our skilled nursing. You can check with the staff of the facility you are visiting to see if they have Medicaid beds available.

Q3) How much is the upfront fee? **R**) In life care communities, specifically Freedom Point, our fees run from \$200,000-\$600,000. We have everything from a studio to a 1700

sq. ft. 2 bedroom and den apartment. You are buying a life estate in a condominium and then you have a monthly fee. There are 3 different purchase plans, a 0% refund, a 50% refund and a 90% refund plan.

Refund means that when you leave the campus, whether you pass away, or move away, that percentage of what you paid will go back to your estate, depending upon how you left. So, if you have long-term care insurance, that will be a factor in the plan that you choose. Our 0% and 50% plans give you discount rates on future care. Our 90% plan does not.

If you have a Cadillac long-term care plan that pays \$250-300 a day, that's going to cover the going rates at our skilled nursing center, which I said earlier is about \$10,000 a month. You could choose the 90% refund plan. If you don't have the Cadillac policy, you will probably gravitate to either the 0 or 50% plans, because those plans give you discounted rates. The rate today is about \$3,600 a month for any level of care.

Q4) For Sumter Grande, please explain how a rental is different from a buy in. **R**) Sumter Grande has a \$2,500 community fee,

where you sign a one-year lease, and within the one-year lease you have a 30-day written notice to vacate without penalty or without fulfilling that lease. The \$2,500 holds the apartment for 60 days. If you change your mind, \$2,000 is refundable, \$500 is non-refundable. Once you move in, then you have the 30-day written notice.

Q5) No one has addressed staffing. There are now many existing facilities and more are being built. Who are these people you are hiring, are they educated, how long until they move to a facility that offers a better salary? I have a feeling we are going to be totally surrounded, in The Villages, by people who move into this area to staff our medical facilities and it's scary. I'm an old retired nurse and I remember working for 18-20 patients. I have visited people in these nursing home and have seen no one around to give them a drink of water, or to help them to the bathroom, etc. **R**) Brookdale is the largest senior housing company in the country, with 1,100 communities in 46 states. We have a 6-week orientation program; 50% of the people who come for jobs do not pass our background check. There is a

(Continued on page 15)

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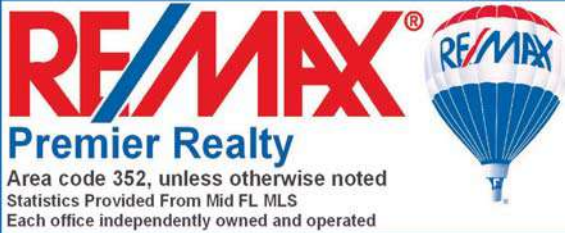
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Senior Living Options

(Continued from page 12)

website called **medicare.gov** that ranks all the hospitals and nursing homes in the country. They have a rating system. We are 5-star quality care, based on staffing, pain management, state reviews, customer satisfaction, etc.

As an old retired hospital administrator – go

at odd hours, check with the staff, if you have questions, ask them before you go, find out what person has oversight, etc., before you go.

Q6) Today we have a purpose, responsibilities, and duties when we wake up in the morning. Once you take the first step in the slowing down direction, do you tend to slow down even faster? **R)** That's a great question. I failed to mention this, I think that like anything else,

the ones that do the very best are the ones who buy into it. Typically it's a woman, these are the people who seem to have the highest quality of living, the ones who make the CHOICE to move into assisted living. It's the resentment that people feel that leads to the decline in the quality of life/living, and the length of life.

Q7) What financial resources are available

(Continued on page 16)

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Senior Living Options

(Continued from page 15)

to the spouse of a person who is in a facility on Medicaid? **R**) A lot of times when someone goes into assisted living, not skilled nursing or nursing home, they don't go together. There can be a financial hardship, with a home to maintain, and they also have the expense of an individual in assisted living. A lot of the folks I've worked with have had to evaluate if owning the home is something viable or not... there is no silver bullet and they have to have conversations with their kids, etc.

Q8) There are so many of these communities that have popped up all over The Villages, is there some place to find out what is available. **R**) You can go to ahca.myflorida.com, the Agency for HealthCare Administration website, which has a list of all the facilities.

NOTE: The third installment of our Elder Care series will be on February 21, 2017 with the topic "End of Life" . □

THANK YOU TO SHINE!!!
 A Special Thank You to Betty Cunningham, and to all of the excellent volunteers, for their hard work during the recent Medicare Annual Enrollment Period

Multi-Modal Path Discussion Group (MMPDG) Meeting Highlights December 1, 2016

The Multi-Modal Path Discussion Group (MMPDG) met in July to discuss signage along the multi-modal paths and tunnels, and came to consensus that a scope of work be created that addresses *Consistency, Visibility, Directional, and Safety* issues. All residential districts and the Amenity Authority Committee (AAC) were represented at the meeting.

On December 1, the group met again and asked District staff to issue a bid to receive costs related to having a multi-modal path signage study completed. District 3 Supervisor, Steffan Franklin, advised that the District 3 Board had decided not to participate in a study related to signs. Since there will be no costs incurred to secure the bid, once it is received, each district can determine its participation. District staff will also provide the engineering firm with a previous study staff had done for Districts 1 – 7.

A public comment was received requesting the definition of "Key Destinations" be provided as part of the study.

The group also discussed speed bumps/speed humps along the multi-modal paths, with each district and the AAC weighing in. Input ranged from removing any existing speed bumps, to not adding any additional, to having them included in the study. District 7 and 10 each thought an engineering study is needed before any are removed and to identify any area they might be needed. Alternatives to speed bumps, such as speed humps or strips, will also be looked at.

After discussion, because the issues on the paths all pertain to safety, District staff will request Kimley-Horn & Associates (KHA) prepare a scope for all portions of review: signage, speed bumps/humps, and rumble strips, stop signs, stop bars and possible ADA issues of the multi-modal paths. An invitation will be made to all Board Supervisors to attend when KHA presents to the MMPDG.

No date was set for the next meeting.

District 3 Supervisor Calls for MMPDG Group to Disband

At the District 3 CDD meeting, held on December 9, Supervisor Gail Lazenby said the MMPDG should be "deconstituted", saying it has "taken on a life of its own". Lazenby said he has received calls from bicyclists who are against having speed bumps, saying it could force them off the paths and onto Buena Vista Boulevard. The District 3 Board of Supervisors has stated previously they are not in favor of speed bumps and do not think residents' money should be used to pay for more signs on the paths. □

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## LETTERS

Letter to the POA:

### How To Express Opinion About An Amenity Authority Committee South of CR466

What can those of us living south of CR466 do to obtain the same conditions that exist north of CR466? Your explanation of the problems is clear, without any recommendations on what we can do to stop their intentions, short of a lawsuit. Thank you. Tom Zumbrook

**POA Response:** This is an excellent question. There are many things residents can do to make their views known about their desire to have an Amenity Authority Committee south of CR466. Your residential Community Development District (CDD) Board of Supervisors is comprised of the only resident-elected officials south of CR466. They are primarily responsible for the administration and budgets associated with your annual maintenance fees. Districts 5 – 10 each appoints one of its elected members to serve as its representative to the Project Wide Advisory Committee (PWAC), which, as we have reported, advises the Sumter Landing Community Development District (SLCDD) on maintenance issues and expenditures for items identified on the Project Wide Fund list (which, by the way, can be added to solely by the SLCDD). PWAC has no real authority.

Residents can begin by expressing their

opinions to elected Supervisors by attending local CDD Board meetings, and/or by sending each member an email.

First, you need to know what numbered district you live in. If you don't know your district, you can call the District office or look on [DistrictGov.org](http://DistrictGov.org) for information.

Also on the District website home page is a calendar that tells you the date and time of every meeting of every board or committee. You can find the agenda packets on the website by clicking on the Agenda/Minutes tab for each district or committee. You can send an email through the [DistrictGov.org](http://DistrictGov.org) website by clicking on Districts and selecting your numbered district. Click on the Board of Supervisors tab and you will see the various methods to contact them.

You can also attend any PWAC meeting or SLCDD meeting to express your views.

Finally, if you have a chance to attend one of the Amenity Authority Committee (AAC) meetings that are held for residents north of CR466, you can get a real sense of how the AAC works on behalf of the residents in those areas. You will nearly always find more residents attending the AAC meeting than any of the district, PWAC or SLCDD meetings south of CR466. Why? Perhaps it is because residents have also elected their representatives to the AAC and there is a greater opportunity for input to a group that has real authority than to one that is only advisory.

While there is no specific time frame when a recommendation will be implemented, it is expected that early in 2017 the District will present a resolution to the SLCDD expanding the scope of PWAC's advisory role. □

Our Gardening Column:

### Is Your Garden Ready for Winter?

by Anne Lambrecht  
[mrsanne04@gmail.com](mailto:mrsanne04@gmail.com)

Our winters can be mild in north central Florida, as we witnessed last year. But we can also have weeks of killing frost and fierce, relentless winds that can wreak havoc on even the stoutest shrub. January can be a crazy quilt of weather: warm, cold, windy, rainy. Usually it's cold in the morning and warms up nicely during the day. Some days it doesn't warm up at all. All the tender green has virtually disappeared and the garden is all sticks. Other plants, especially the tropicals, have perhaps "burned" with the frost and wind. Succulents and cacti have turned to mush.

The first average freeze date is December 10<sup>th</sup> in our area. Prepare for freezes: have blankets, sheets, towels, cardboard boxes, landscape cloth, etc., ready to cover *tender* plants when frost or freeze is predicted. The key word here is tender. If you have a native plant or a plant for our zone (9a), then you probably don't have to cover! But, if you have tropicals or plants that are not in our zone (higher than 9a), then cover everything, right down to the ground. Some people put their Christmas lights under the tent for further warmth. Do not use plastic because the resulting condensation can cause rot, opening the door for fungus. Daily removal of the frost protection is recommended, but when the weather-

*(Continued on page 18)*

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## Garden In Winter

(Continued from page 17)

man tells you that the next few days are all going to be identical, then save yourself some energy and just leave it on. The plants will thank you for the extra protection.

Watering the ground beneath the plants, prior to covering, can provide additional protection. Keep your plants watered, even if they're burned. Don't let plants become dehydrated.

It's time to slow your fertilizing way, way down, except for the acid loving winter bloomers like azaleas, camellias and gardenias. The fertilizer to use for other plants in the garden should be time release fertilizer, such as Osmocote or Dynamite, which should last over the winter (3-6 months). It will be released slowly and will not cause a burst of growth during the winter.

All of our turfgrass goes into some degree of "dormancy" during the winter months. This means that they slow their growth down and may or may not stay green. This is especially true of Zoysia grass. You know what I mean: we get one little freeze and that grass goes brown! This dormancy is a natural cycle.

You should work to keep your lawn as healthy as possible through your mowing, irrigating, and fertilizing practices. In winter, mow only every couple of weeks or even once a month. Keep mowing height high year-round (3.5" to 4" for most St. Augustine grass cultivars, and 2" for Zoysia grass).

In winter, my lawn guy mows once a month. When you do need to mow again in spring, be sure to cut at the highest recommended height for your grass type. Do not scalp the lawn, as this makes it less able to recover from freeze damage.

When you irrigate your lawn, water it for a longer time. Water "deeply" so the roots grow deep and strong. The root system will then be able to sustain many stressors. To achieve this, water longer, with less frequency. But it is all right to cut back irrigation to once a week in the winter. For some lawns, like ones that are "microclimate" protected, it can be every other week.

Central Florida lawns should not be fertilized between October and the end of March. The last fertilization should be done with a fertilizer high in potassium (the 3rd number on the bag) relative to nitrogen (the first number on the bag), such as 15-0-15 or something with equal or higher potassium to nitrogen. This helps to impart some stress tolerance to cold or freezing temperatures and may enhance spring green-up. Do not try to fertilize in order to green up your lawn after a freeze. This will do more harm than good, because it will cause premature new growth, and what if we get another freeze?

*It is very important that you resist the temptation to prune.* We can still freeze right into March. Our last frost date is March 10<sup>th</sup>. Waiting until March to prune and trim is too much to ask, I know--I can hardly contain myself until February, but I try to keep busy and productive in my garden with other chores for January. It is good to go outside, just to get some fresh air.

Some chores to take your mind off pruning:

- Weed. There are always weeds to pull.
- Clean your birdbath, bird feeders and water features. Clean your pots and containers. Use a scrub brush with a mild bleach solution and let them dry in the sun.
- Refresh the mulch in your yard.

Mother Nature has given us a sign. The days are shorter, the air is cooler. Growth has stopped. It is time now to let our gardens rest. The New Year promises a fresh start, both with our lives and our gardens. Gardeners dream of new and different plants and ideas for spring. Those seed catalogs keep rolling in. But keep on dreaming now for at least six weeks! □



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## National Retiree Legislative Network - NRLN Villages Chapter Legislative News Corner By Bill Kadereit, President, NRLN

Hope you all had a safe and enjoyable Holiday period.

Your NRLN Villages Chapter Board and Leadership Team met in The Villages on December 8 to review NRLN and Villages Chapter by-laws, operating policies, the NRLN Legislative Agenda and whitepaper proposals and to set the stage for what should be a very important and active 2017.

Board members Debbie Austin, Bill Kadereit, Carolyn Reichel, Bill Yelverton and Elaine Dreidame, along with the Chapter leadership team including Debbie Austin; Grassroots Director, Tom Emerson; Membership Planning Directors, Al Adams and Lynda Brown; Health Care Director, Carolyn Reichel and Events Planning Director, Ray Pasternak, spent the better part of the day reviewing NRLN documents and planning for 2017.

The team is searching for a Communications Director and a few folks to help with Membership Planning. There will eventually be two more Directors selected. If you want to help, call Debbie Austin at 850-528-4622.

Prior to this meeting The NRLN Villages Chapter had begun using its own website ([www.nrln.org](http://www.nrln.org), click "Chapters" tab, select Villages Chapter), email capability and the need to communicate with members through local meetings as needed. Member input is the base for all that we do. The NRLN Villages Chapter, Legislative News Corner will be published quarterly in *The POA Bulletin* and those who sign up on the above website for

emails will get important messages but no junk email.

We spent some time discussing the importance of supporting or opposing legislative and regulatory changes that focus on The NRLN Villages Chapter retiree issues on the subjects of retirement income and health care security. The NRLN is tenaciously party neutral and does not endorse political candidates. It does lobby members of Congress to gain support for NRLN retirees' issues. The NRLN publishes a report card on whether Representatives and Senators sponsor or cosponsor bills that the NRLN supports or opposes and their votes of the bills. The report card for Florida can be accessed at <http://www.nrln.org/congresslegs.html#/legislators>. Click on the link to the report card under the Florida state flag.

The solutions that NRLN proposes always take into consideration that government can govern less and cheaper and still be effective. It believes that the federal budget and treasury deficit can be alleviated far more effectively by attacking waste and fraud and inefficiencies and by demanding more competition for prescription drugs, medical equipment, etc. and through more efficient use of innovative capital.

The NRLN supports protection of traditional Medicare (A & B) but with much more

emphasis on reducing the cost per person served. The NRLN believes schemes designed to push costs from the government to seniors through higher cost premiums, copays and co-insurance reduces the buying power of retirees and hurts local, state and national economies.

We will post the place and times for a 2017 kickoff meeting just as soon as we get a schedule date and meeting room from The Villages Management. We will want your comments on the NRLN legislative agenda regarding Medicare, Social Security, prescription drug costs, pay-for-delay to keep generics off the market and other hot topics during the first 100 days of 2017. Our Legislative Director/ lobbyist may attend to offer a perspective from Capitol Hill.

Watch for meeting notifications in the *POA Bulletin*, *Villages-News.com* and always at [www.nrln.org](http://www.nrln.org), click "Chapters" tab, select Villages Chapter. We will post a survey asking you to tell us who will attend and to select a meeting time so we can plan logistics.

Also, the NRLN Villages Chapter will schedule quarterly open meetings for The Villages residents on a regular basis starting in the 2<sup>nd</sup> quarter of 2017. □

A Salute to all our Men and Women in Uniform. Thank You for Your Service!



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One easy step you can take to reduce the number of sales pitches you receive is to take your name off telemarketing and junk mail lists. Businesses that advertise or market their products and services directly to consumers – through mail, telephone, email and online advertising – typically purchase or compile their own lists of potential customers. You also need to get your phone – all your phones – onto the Do Not Call list.

The answer to "how did they get my name?" is actually fairly simple: local phone listings, public real estate records, tax assessments on personal property, such as cars or boats, donations to political or charitable organizations, club rosters, alumni listings or a host of other sources. Online advertisers use "cookies," which are small data files that track information about you, such as your web browsing patterns and items you've put into

online shopping carts.

Here's how to cut the clutter:

**Do Not Call:** You should place each of your phones - your landline and the cell phone of each family member - on the Do Not Call (DNC) List. This will greatly reduce (but not totally stop) telemarketing calls.

You can add phones to the Do Not Call List online at [www.donotcall.gov](http://www.donotcall.gov) or by calling toll free (888) 382-1222. You will need to do this for each phone number you want to place on the Do Not Call List. If you do it online, you can also complain about calls, verify a prior phone registration on the DNC List, or register a new phone on the list.

**Direct Mail and E-Mail Offers:** To cut down on direct mail (junk mail) offers and email marketing offers, you can register with the Direct Marketing Association online at [www.dmchoice.org](http://www.dmchoice.org). You will be asked to register for the site using your email address.

**Credit Card Offers:** You can opt out of all those credit card offers you receive by registering with the Consumer Credit Reporting Industry's website, [www.optoutprescreen.com](http://www.optoutprescreen.com) or by calling (888) 567-8688. It will be necessary to provide your date of birth and your Social Security number to opt out using this site.

**Online Cookie Collecting:** If you shop online, your computer often collects information about what you are looking for and sends this information to various parties.

These little tidbits of information are known as "cookies". You can opt out of some, but not all, of the cookie collection efforts, by going to the National Advertising Initiative's website, [www.networkadvertising.org](http://www.networkadvertising.org), and clicking on their "Consumer Opt-Out" button on their home page.

Most legitimate marketing firms will honor your request. So, if you receive a solicitation after taking the steps we recommended above, you should be especially skeptical of the offer. At worst, the company may be violating the DNC law by calling you. At the least, they are not following generally accepted sales and solicitation standards for their industry. Is this the caliber of company you want to do business with?

No one will watch out for your interests better than **YOU**. If you need assistance with any of these methods to avoid the clutter, contact your nearest Seniors vs. Crime office in The Villages for advice or assistance. There is never a charge for their services.

Seniors vs. Crime can be reached at 674-1882 at the Fruitland Park Police Annex (next to the Moyer Recreation Center), 753-7775 at The Villages Marion County Sheriff's Office ; 689-4600, ext. 4606 at the Sumter County Sheriff's Office in The Villages; or 750-1914 at the Wildwood Police Annex in Brownwood.

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## Discount Partners

The Discount Partners program is a continuing benefit for POA members. Show your valid POA membership card to the Discount Partners listed on our website. You can always visit [www.poa4us.org](http://www.poa4us.org) for details, just scroll down to Discount Partners in the list to the left for the offers from each of these vendors. Please say "thanks" to our Discount Partners for participating in this program. □

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(Continued on page 23)

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(Continued from page 22)

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| 2004 | Russ Day<br>Eva Hawkins<br>William Rich, Jr.<br>Glen Swindler<br>Jean Tuttle                        |
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| 2009 | Dorothy Morehouse-Beeney<br>Vinnie Palmisano                                                        |
| 2011 | Pete Cacioppo<br>Betty Cunningham                                                                   |
| 2012 | Joe Gorman                                                                                          |
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## What To Look For In A Doctor (A Three-Part Series)



**Dr. Norman H. Anderson, MD**  
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Patients often ask what I view as essential qualities each physician/health care provider should possess. It's a pretty valid question, in light of a world of flagrant advertising, electronic medical records, and pre-approved treatment authorizations.

Let's pause for a moment...and focus on what counts.

Beyond the diplomas and credentials lining our health care providers' walls, there are three components to consider. The first essential, discussed in this issue of the POA, is to think "outside the box." The very training of a physician narrows focus of thought, bred by our academic institutions toward conformity that does not allow question of what is taught: but the opposite side of the same sword can kill the ability to accept new, sometimes valuable medical insight. The discovery of the PAP smear by Georgios Papanikolaou MD, was rejected by the medical establishment for fully 20 years, during which this physician's medical license was placed in jeopardy because his idea ran contrary to conventional thought. Only through a friend at the National Cancer Institute was Dr. Papanikolaou's discovery tested, and ultimately accepted. The medical establishment attempted to crush insight different from that already taught.

The discovery that stomach ulcers were actually caused by a bacteria rather than stress was proposed by two Australian physicians. Their medical licenses to practice medicine were at risk of being revoked until one of the two drank a solution containing the bacteria. Within weeks, the experiment proved positive for a stomach ulcer. Placing one's life in jeopardy in order to advance medicine against the "system" is the ultimate demonstration of thinking outside the box. In reality, the greatest discoveries in medicine were not found in a laboratory or a controlled medical study, but rather through insight.

Seek a doctor who can thoughtfully, but scientifically question the walls of blatant medical conformity.

To be continued....