

CONNECTICUT ASSOCIATION OF HEALTH CARE FACILITIES, INC.

Public Hearing Testimony of Toni M. Fatone, Executive Vice-President of the CT Association of Healthcare Facilities

Select Committee on Aging- January 27th 2009

Goodmorning Sen. Prague, Rep. And members of the Select Committee on Aging. I am Toni Fatone, the Executive Vice-President of the CT Association of Healthcare Facilities an organization representing skilled nursing facilities profit and not for profit statewide.

I am here today to testify on SB 450 AAC Nursing Home Oversight, SB 454 AAC Nursing Home Staffing Levels and SB 455 AAC Nursing Home Bill of Rights.

SB 450 was a major piece of legislation last year that was unable to be adopted by the General assembly because as drafted was rife with problems, not the least of which were a host of constitutional legal issues that were unresolved before the end of the legislative session. Unresolved, in spite of monumental efforts of the best and the brightest legislative, administrative and legal talent available. While this bill is far from being fleshed out I caution the committee that the bill from last year if that's the language you intend to use again is still rife with problems that must be resolved.

SB 454- we support nursing home staffing levels. I am here every year testifying in support of this initiative for more years than I would like to recall. And I am here again this year. But I must admit I am not confident in these dire financial circumstances that funding will be allocated to adopt such an initiative in spite of its importance. There is not a nursing home in the state that would not welcome the much needed funding to hire more staff. But after more than a year of record increases in costs and no Medicaid rate increase last year more nursing homes than not are on the financial brink. As of today the state's receiver is now the 5th " provider" in the State overseeing a dozen nursing homes in financial receivership. I regret to say she may move up to be the 2nd or 3rd largest "provider" by the end of this fiscal year if no funding is forth coming.

SB 455 AAC The Nursing Home Bill of Rights- this bill while laudable in its intent completely strips a nursing home of any protections it may have when dealing with dysfunctional families. Families who steal their mother's social security or pension checks that

should be turned over to pay for her care. Families who abscond with funds to pay for their own needs and wants but have no authority to do so. Families who by these actions are committing Medicaid fraud and putting more unwarranted financial pressure on the facility that will not be paid for that care when the Medicaid system is expecting the individual to utilize whatever funds they may have to reduce the expenses on Medicaid. Yes Medicaid does require some level of personal responsibility to be carried out by the family member or responsible party that promises to turn over these funds. When they don't our only recourse is to file legal proceedings. We would welcome the opportunity to sit down with you and the proponent of the bill to work thru a sensible solution for all.

Thank you for your time today. I am happy to answer any questions.

