



# STATE OF CONNECTICUT

DEPARTMENT OF SOCIAL SERVICES

LONG TERM CARE OMBUDSMAN PROGRAM  
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## PUBLIC HEALTH COMMITTEE

FRIDAY, MARCH 6, 2009

Testimony of

Nancy Shaffer, State Ombudsman

Good morning Senator Harris, Representative Ritter and distinguished members of the Public Health Committee. My name is Nancy Shaffer and I am the State Long Term Care Ombudsman. I appreciate the opportunity to comment today in support of the Governor's Nursing Home Oversight Bill, SB 845. This legislation is needed because quality care is directly related to responsible ownership and financial solvency.

Many Connecticut nursing homes work diligently to provide quality care. But, as we discovered with the Haven Healthcare crisis over the past few years, the proverbial "bad apple" can surface at any given moment. When the top priority of owners and investors is profit, rather than providing staffing and resources necessary to ensure quality care, we must implement appropriate safeguards. The survey and enforcement process is a key piece to oversight of the long term care industry. But in today's world of corporate greed and misconduct, financial oversight is the other essential ingredient to ensuring quality care for long term care consumers. Both government—who pays for the majority of care and the consumer—who requires the care, have the right to know who is providing that care as well as transparency related to fiscal solvency. The Governor's Bill, I believe, is Connecticut's opportunity to be in the forefront nationally on this issue.

Noteworthy in this proposed legislation are these points:

- Strict oversight of ownership changes
- Monitoring of adverse changes in the organizations financial condition
- Detailed information requirements about the performance of a prospective owner from the licensure and enforcement agency (agencies) in other states
- Oversight of nursing facility management services—stricter and more detailed information regarding background checks
- Monitoring of indebtedness
- Mandates proof of facility insurance liability coverage for negligence or medical malpractice and damages to property
- Parameters for "severe financial distress" are identified
- Changes the requirements for a nursing home receiver to include individuals who possess other experience and education that the court deems satisfactory to appropriately and professionally implement such receivership, rather than just the requirement of a nursing home administrator's license to qualify as a receiver

I strongly support and urge your support of the Governor's Nursing Home Oversight Bill, SB No. 845. As the State Ombudsman, I welcome the opportunity to sit on the Oversight Committee to represent the interests of long term care consumers. Consumers need that voice at the table. Thank you for this opportunity to testify before you.