



# STATE OF CONNECTICUT

DEPARTMENT OF SOCIAL SERVICES

LONG TERM CARE OMBUDSMAN PROGRAM  
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## HUMAN SERVICES COMMITTEE PUBLIC HEARING

### TESTIMONY

TUESDAY, MARCH 15, 2011  
10:00 AM in Room 2a of the LOB

Good morning to the Chairs and members of the Human Services Committee. My name is Maggie Ewald representing the Office of the State Long Term Care Ombudsman Program. I am here today with a representative of the Statewide Coalition of Presidents of Resident Councils, Brian Capshaw. Unfortunately, our State Ombudsman, Nancy Shaffer, is unable to be here today and sends her apologies.

Many of you are aware that the Long Term Care Ombudsman Program advocates on behalf of residents of nursing homes, assisted living communities as well as residential care homes in Connecticut. As such, the Long Term Care Ombudsman Program is here to speak to **House Bills No. 6551 (Raised) and No. 6552 (Raised) as well as SB 1012.**

With respect to **HB # 6551 AAC Policies and Procedures for the Administration of Medication to Residents of Residential Care Homes**, the Ombudsman Program understands the dire budget constraints our State currently faces. Our Program is cautious in consideration of this proposal to allow non licensed personnel to administer medications to residents of our residential care homes. In light of this proposal, we strongly support mandating proper training along with monthly supervision and monitoring efforts to protect and ensure the health of the residents.

We support **HB # 6552 AAC An Act Concerning the Transfer and Discharge of Nursing Facility Residents.**

Historically as a Program, we have had to advocate on the behalf of nursing home residents who have been sent to the ER and/or hospital for acute care needs whenever the nursing home refuses to take them back.

In fact, a number of years ago, the Administration on Aging questioned the frequency of such cases in our State over a period of years. As a result, our Program called on many stakeholders (for profit, not-for-profit associations

of nursing homes, Institute of Living, University of CT researchers, Department of Mental Health and Addiction, Department of Public Health as well as representatives for a variety of legal advocacy services) to form a state-wide CT Workgroup on Challenging Behaviors. Research along with a White Paper, state-wide Training Conferences as well as a Website were products of this Workgroup's efforts.

For a period of time following this effort, such cases seemed to have subsided somewhat. More recently, however, the system has been experiencing increasing numbers of "refusals to readmit" requiring increasing and costly resources.

As such, our State Ombudsman, Nancy Shaffer, met with the legal representatives for the Department of Social Services, the For-Profit and Not-for-Profit Associations as well as CT Legal Services. The legislative proposal before you is the result of this effort and we urge your consideration accordingly while also recognizing changes may be called for as we move forward.

In particular, reference to a required consultative process when such cases occurs has become murky and less clear. This proposal then is an effort to clarify the consultative process and, while doing so, lessen such costly resources.

Finally, the Long Term Care Ombudsman Program has grave concerns regarding cuts proposed in the Governor's Budget. We would like to defer to Brian Capshaw, a representative of the Statewide Coalition of Presidents of Resident Councils, for testimony directly from our State's nursing home residents as to how these proposed cuts would affect them.

Thank you.