STATE OF CONNECTICUT

DEPARTMENT OF SOCIAL SERVICES

LONG TERM CARE OMBUDSMAN PROGRAM
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HUMAN SERVICES COMMITTEE
Tuesday, March 13, 2012

Written Testimony
Of
State Long-Term Care Ombudsman
Nancy Shaffer

As you know, the Long Term Care Ombudsman Program is an Older American's Act program created in the early 1970's as a direct result of concerns about poor care and services of institutionalized elders in the 1960's and 1970's. The mandate of the Program is to protect the health, safety, welfare and well-being of elders and disabled individuals. It is my job as the State Ombudsman to be the voice of the nearly 30,000 Connecticut residents who reside in a Connecticut skilled nursing facility, residential care home, or assisted living facility. I appreciate this opportunity to provide written testimony regarding proposals this committee has under consideration. The issues before you are of significant consequence to the quality of life of these individuals.

SB No. 395 AN ACT INCREASING THE PERSONAL NEEDS ALLOWANCE

As you are aware, when an individual is deemed eligible for Medicaid in a long-term care facility, a portion of the individual's income is set aside for the resident as a "Personal Needs Allowance" (PNA). This stipend is for the express purpose of providing funds to cover a variety of personal expenses, expenses which are not otherwise allotted for in the Medicaid reimbursement to the facility. In some instances, some residents must also use their Personal Needs Allowance to cover such medical services as Podiatry care. Expenses which must come from the Personal Needs Allowance include hair cuts and styling, clothing, television and telephone services, some over-the-counter medications, as well as some of the simple pleasures of life: an occasional meal outside the nursing home, a book, stamps and stationery, toiletries not provided by the facility. All would

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agree that the simple pleasures of life are so important to one's perceived quality of life.

When considering the high cost of living in Connecticut, it is easy to understand that $60 monthly does not go far to provide for some of those "simple pleasures of a quality life" previously noted. Connecticut is ranked high in its cost of living as compared to other states in the country. The Eastern States in particular have high costs of living. Our neighbor to the north, Massachusetts, an economy similar to our State, provides a $72.80 Personal Needs Allowance to its nursing home residents.

The 2011Connecticut General Assembly had many difficult economic decisions to make and reducing the Personal Needs Allowance by 13% was one of those tough decisions. We all understand that. But a reconsideration of that decision is proposed by the Statewide Coalition of Presidents of Resident Councils and revisiting this reduction is warranted. In 2011, the reduction was listed in the budget as a **temporary** measure. The Executive Board of Presidents of Resident Councils has solicited signatures of residents in support of reinstating the PNA to $69 and also reinstating the Cost of Living Allowance. The Executive Board has suggestions to recoup the 1.7 million dollar savings to the State should the Personal Needs Allowance be reinstated.

I respectfully urge you to consider passage of this legislation.

HB No. 5451 AN ACT CONCERNING NURSING HOME TRANSPARENCY IN NURSING HOME COST REPORTS

The Ombudsman Program is in favor of passage of this bill with some changes in the language. HB 5451 proposes fuller financial disclosure in order that the Department of Social Services can further analyze the actual costs of a facility's business operation and profits and losses. However, HB 5451 only requires for-profit nursing homes to provide this information. It is appropriate to ask this information of both for-profit and not-for profit businesses. The Long Term Care Ombudsman Program fully endorses greater transparency and consumer accessibility to financial information of nursing homes. Similar to a bill introduced by the Aging Committee, HB No. 139 AN ACT CONCERNING NOTIFICATION OF FINANCIAL STABILITY OF NURSING HOME FACILITIES AND MANAGED

RESIDENTIAL COMMUNITIES TO PATIENTS AND RESIDENTS, HB 5451 provides the opportunity for better communication regarding an institution's financial situation.

Much too often in recent years, The Long Term Care Ombudsman Program must try to answer questions of families and residents who have been forced to move from a closing facility to another institution and, only months later, the home they've moved to declares bankruptcy, applies for a Certificate of Need to close the home, or the home is taken into state receivership. There truly is no good explanation for causing that kind of trauma to an elder or disabled individual and their family members.

HB No. 5475 AN ACT CONCERNING NURSING HOMES

This bill requires the Commissioner of the Department of Social Services to conduct a study of the quality of care in nursing homes and whether there are enough nursing home beds available to meet the needs of Connecticut's long term care consumers. There is a great deal of data and information available on these topics, including a recent extensive study by the Mercer Group to inform Connecticut's right-sizing initiative. This may be an excellent opportunity to pull all information together for a thorough analysis. It is always essential to include consumers in any discussion about the quality of care and services received, so I would urge that this be a component of any study undertaken. The Department of Public Health as well as the Long Term Care Ombudsman Program likewise has a significant data base of information related to care and to consumers concerns, perceptions and needs related to care.

I sincerely appreciate this opportunity to provide written testimony on the above proposals. And I thank this committee for its dedication to meeting the needs of Connecticut consumers of long term supports and services.