



**Public Health Committee
Public Hearing Revised Inpatient Hospice Facility Regulations
March 16, 2012**

**Testimony of Theresa Bachhuber, RN
Administrator
VITAS Innovative Hospice Care®
Inpatient Unit at Saint Mary's Hospital**

Senator Gerratana, Representative Ritter and members of the Public Health Committee, my name is Theresa Bachhuber, RN. I am the Administrator for the VITAS (pronounced VEE-tahs) inpatient hospice unit at Saint Mary's Hospital. VITAS Innovative Hospice Care ("VITAS"), the nation's leading provider of hospice services, provides hospice care throughout the state to more than 350 patients and families each day.

I have been a registered nurse for 26 years and hold a graduate degree in Public Health from the University of Connecticut and a baccalaureate degree in nursing. I have been working in hospice and homecare, in Connecticut, for 24 years.

I am submitting this testimony **in support** of HB 5499, An Act Concerning Regulations Relating to Hospice Care which requires the Department of Public Health to revise the Hospice Facility Regulations 19a-122b-1 to 19a-122b-14 so that patients and families throughout the State of Connecticut can have access to full delivery of quality hospice care services.

Your vote in support of HB 5499 will benefit patients and families in every corner of Connecticut and establish a regulatory environment that protects patients while providing important flexibility that will foster models of inpatient hospice care that best suit the needs of communities throughout our state.

VITAS supports HB 5499 because the legislation will allow hospice programs throughout Connecticut to assess and respond to local need for inpatient care. Absent your adoption, hospices will remain very limited in how they can meet that need. Under current rules, the only way a hospice program can effectively develop an inpatient hospice program is either to build a hospital like facility or to pursue a daunting regulatory process which is expensive and uncertain.

In our quest to meet inpatient needs in Waterbury, VITAS conformed to the existing regulatory structure licensed for 19-13-D4b (Short-term hospitals, special, hospice). That approach, in fact, was time consuming, expensive and enormously cumbersome. Fortunately, we were successful, but our experience of navigating the regulatory maze is not one that other hospice providers should have to undertake.

Our state should embrace forward thinking regulations that promote hospice access rather than impede such access by erecting unnecessary regulatory barriers.

VITAS' new inpatient hospice unit has been a tremendous success to patients and families in Greater Waterbury. Since the nearest inpatient hospice facility is more than 50 miles away, this 12 bed unit is meeting the growing healthcare needs of its community. The hospice unit allows patients and families to receive the full delivery of hospice care, including high acuity inpatient care, in the most responsive, appropriate and cost-effective manner in the location of their choice.

The first of its kind in Greater Waterbury, this 12 bed Inpatient Hospice Unit provides a tranquil, home-like atmosphere for patients and their families. The unit features spacious private rooms, a family living room and kitchen, family laundry, shower facilities and capability for families to spend the night with their loved one.

VITAS' inpatient unit at Saint Mary's Hospital is being held to strict compliance with rules and regulations that protect high quality patient care. As a certified hospice program, we operate under Medicare's Conditions of Participation (CoP) for Hospice, 42 C.F.R. § 418 *et. seq.* ("CoPs"). Under the CoPs, hospices can provide inpatient hospice care directly, as well as under arrangements with a Medicare certified hospital or skilled nursing facility. According to the Centers for Medicare and Medicaid ("CMS"), "[w]hen the hospice provides inpatient care directly, it may do so either in space that it owns or leases or in space shared with a Medicare certified hospital, SNF, or Medicaid certified nursing facility (NF)." CMS State Operations Manual, § 2084.1.

VITAS has been providing hospice services in Connecticut since 2004 and operates two Medicare certified hospice programs in the State of Connecticut. VITAS Innovative Hospice Care has been a pioneer and leader in the hospice movement since 1978. VITAS operates 53 hospice programs in 18 states. VITAS employs nearly 10,000 professionals who care for terminally ill patients daily, primarily in the patients' homes, but also in the company's 34 inpatient hospice units as well as in hospitals, nursing homes and assisted living communities/residential care facilities for the elderly. VITAS provided 4,640,285 days of care in 2010 and our current average daily census is over 13,000.

Hospice provides the quality care patients and families deserve, in the location they desire. While most patients and families receive hospice care at home, the option of an inpatient hospice unit is an important one that is necessary when symptoms such as pain, respiratory distress, anxiety and others are too challenging to be managed at home.

In summary, VITAS urges you to support these regulations as they will enhance all hospices' ability to provide the full delivery of quality hospice care services throughout the State of Connecticut.

Thank you for the opportunity to submit these comments.