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HUMAN SERVICES COMMITTEE

Public Hearing, February 20, 2014

Good morning, Senator Slossberg, Representative Abercrombie and members of the Human Services Committee. My name is Nancy Shaffer and I am the Connecticut State Long Term Care Ombudsman. Per the Older American's Act and CT General Statute 17b-400-417, it is the duty of the State Ombudsman to provide services to protect the health, safety, welfare and rights of the residents of skilled nursing facilities, residential care homes and managed residential communities/assisted living facilities. As State Ombudsman it is my responsibility to advocate for changes in laws and governmental policies and actions that pertain to the health, safety, welfare and rights of residents with respect to the adequacy of long-term care facilities. I appreciate this opportunity to testify on behalf of the thousands of Connecticut residents of skilled nursing facilities.

I testify today in support of HB 5051 AN ACT IMPROVING TRANSPARENCY OF NURSING HOME COST REPORTS and HB 5136 AN ACT CONCERNING NURSING HOME TRANSPARENCY. The objective of both of these bills is to enhance transparency of the cost reports filed by nursing home operators to the Department of Social Services. There are considerable requirements to the current cost reports. Over the years however the business model of the nursing home industry has evolved and the further reporting requirements will provide a more detailed accounting of the actual related business costs.

Connecticut has experienced multiple nursing home bankruptcies, receiverships and closures in the past eight years at significant costs to the State. As a state we do not lack examples of poor provider practices; we need only look back at the Haven Healthcare scandal and the fraudulent practices of its owner, Ray Termini. Events such as these cause tremendous upheaval and distress for those long term care consumers. Residents and their families are left for months, sometimes years, worried about the homes they live in and the people caring for them. In some of these situations residents were transferred more than once when they left the original bankrupt/closing home and then, after settling into their new home, were again uprooted when that home declared bankruptcy or went into state receivership and closed. More transparency in the required cost reports will provide the State and consumers with more complete information, providing the basis for informed decision-making.

Importantly, both of these proposals include provisions for more detailed information on direct care staff. The Ombudsman Program strongly supports this aspect of both proposals. Accurate and complete staffing information has been an issue both at the state and national levels for many years. It is often difficult for consumers to find and assess this information when reviewing nursing homes for themselves or their loved ones. It is a challenge for professionals to find this information. The Long

Term Care Ombudsman Program received 2,353 complaints from long term care consumers during Federal Fiscal Year 2013. Of these complaints, many of them centered on issues related to resident care and resident rights. Upon further Ombudsman investigation, we often determine that adequate staffing, staff training and staff supervision are the underlying factors for the consumer's dissatisfaction. In our estimation, compelling nursing home operators to provide more detailed staffing information is in the consumer and the state's best interest.