

March 18, 2015

STATEWIDE COALITION OF PRESIDENTS OF RESIDENT COUNCILS

Hello my name is Brian Capshaw and I live at the nursing home Greensprings Healthcare and Rehab in East Hartford. I'm submitting/testifying on behalf of the Statewide Coalition of Presidents of Resident Councils representing all 26,000 Connecticut nursing home residents, regarding H.B. 6887 An Act Concerning The Department of Public Health's Recommendations Regarding the Protection of Residents in Health Care Institutions. Specifically Sec. 3 section 19a-524 regarding civil monetary penalties.

Co-chairs Senator Gerratana, Representative Ritter, ranking members Senator Markley and Representative Srinivasan as a nursing home resident I'm happy to be here to discuss H.B. 6887. Civil Monetary Penalties are a strong deterrent to poor care, but in Connecticut the fines are higher for cruelty to animals than harming a nursing home resident. Despite my efforts as resident council president at Aurora Senior Living of East Hartford, owners of my building from January 2011 to October 2014, our owners were fined 11 times over that period, culminating with a resident eloping from the building and being hit by a car and killed, the state fine was \$1,610 not even the current allowed maximum of \$3,000. These low fines do not carry enough incentive for the owners to strive to improve the quality of care in their facilities. When reading the monthly articles from Connecticut Health I-Team many of the fines seem staffing related. The most recent February 23<sup>rd</sup> article where Wilton Meadows Health Care Center was fined the nurse aide quotes "all other aides were busy at the time and unable to help move the resident", resulting in a broken arm, an expensive trip to the hospital emergency room and more costly care needed when returning home. The fine is \$1,160, is this just a cost of doing business or will Wilton Meadows, which reported a \$1.5 million profit on their 2013 cost report, add more staff to prevent another unfortunate incident.

In 2014 according to the DPH regulatory action quarterly reports 91 nursing homes were fined at total of 126 times. I feel if the civil monetary penalties are doubled as this portion of the bill suggests nursing home operators may think twice when it comes to how they care for their residents and hopefully those numbers will come down. I've spoken with the state ombudsman and she endorses addressing civil monetary penalties.

One of the questions I hear at many public hearings are what are other states doing in this area. I have seen fines in other states as follows: California fines are up to \$100,000, New York \$30,000, North Carolina \$20,000, Iowa \$15,000 and Maine \$10,000.

In conclusion as a nursing home resident I'd like to see this bill move forward and hopefully new higher civil monetary penalties will be the deterrent to poor care they are meant to be. I'd like to thank the committee for holding a public hearing on this bill and allowing me to submit testimony.