



Testimony to the Public Committee

Submitted by Mag Morelli, President of LeadingAge Connecticut

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Regarding

House Bill 5270, An Act Concerning Video Monitoring of Nonverbal Nursing Home Residents

[LeadingAge Connecticut](#) is a statewide membership organization representing not-for-profit provider organizations serving older adults across the continuum of aging services, including not-for-profit skilled nursing facilities, residential care homes, home health care agencies, hospice agencies, adult day centers, assisted living communities, senior housing and continuing care retirement communities. On behalf of LeadingAge Connecticut I am pleased to submit the following testimony to the Public Health Committee regarding *House Bill 5270, An Act Concerning Video Monitoring of Nonverbal Nursing Home Residents*.

Prevention of elder abuse is a priority for LeadingAge Connecticut members and we take any related legislative proposal very seriously. The bill before you today proposes the installation of video cameras in the nursing home rooms of nonverbal residents to ensure their safety. While the bill language is brief, the impact is substantial and we would like to provide the Committee with additional information regarding the significant issues that would need to be addressed when implementing a proposal of this nature.

The concept of implementing video monitoring of individual nursing home residents is a very complicated issue and balanced consideration must be given to the rights and interests of all those involved. Privacy rights are paramount in the discussion and should include consideration of the privacy of the resident, the resident's roommate, other residents in the building, and visitors to the nursing home. Regulations regarding legal consent would need to be developed and would need to encompass all individuals who may be affected.

Privacy and confidentiality issues also weigh heavily when considering the use, viewing and storage of the video. The images contained on the video would be protected by HIPAA and the viewing, storage and usage would need to be strictly regulated. Length of time required for storage and other recordkeeping logistics would need to be determined. And liability issues related to all aspects of such a practice would need to be resolved.

Workplace laws regarding video and/or audio surveillance must also be taken into consideration and honored.

The scope and intent of the law needs to be well thought out. The proposal references "nonverbal" residents, but just because a person is not able to communicate verbally does not mean that they are not capable of giving consent. Video monitoring should not be automatically imposed on any person and never without proper consent.

There are also several logistical and cost issues that must be taken into consideration before the implementation of this mandate.

The installation of a video surveillance system would be costly, especially since a system used to capture sensitive health care images would need to be highly sophisticated so as to protect the images. While technology has advanced, older nursing homes would likely need to hard wire the installation of a video monitoring system. If that is the case, the question becomes how many of the rooms would need to be equipped for monitoring. If there are a select number of rooms that are equipped, will a nursing home be able to transfer a resident who requests the monitoring to a room where the video equipment has already been installed?

While the equipment is one cost issue, the larger, ongoing cost of a video monitoring system is the cost of the additional staff that will be needed to monitor the video screens in real time, 24 hours a day, and seven days a week. This would be an expensive undertaking and nursing homes will not be able to take on this costly mandate at this time without state financial assistance.

Mandatory video monitoring in a health care setting is a major undertaking and while the issues cited are not insurmountable, they would require comprehensive regulations and guidelines as well as ongoing financial resources that the state would need to provide.

The Committee should be aware that prevention and detection of elder abuse in nursing homes is currently addressed in a number of state and federal laws and regulations including the federal Elder Justice Act which was passed in the Patient Protection and Affordable Care Act of 2010. LeadingAge Connecticut and our members would be happy to engage the Committee in a discussion of these existing measures, as well as the mandatory reporting requirements and other programs and practices that are currently in place.

Thank you for this opportunity to submit testimony on this issue. Please consider us to be a resource to you as you consider this and other issues related to aging services.

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