LeadingAge Connecticut

Testimony to the Aging Committee

Presented by Mag Morelli, President, LeadingAge Connecticut

March 3, 2016

Regarding

SB 242, An Act Concerning Nursing Home Care
SB 266, An Act Concerning a Right to Rescind a Nursing Home Contract

Good morning Senator Flexer, Representative Serra, and members of the Aging Committee. My name is Mag Morelli and I am the President of LeadingAge Connecticut, a membership association representing not-for-profit provider organizations serving older adults across the entire field of aging services and senior housing. On behalf of LeadingAge Connecticut, I would like to submit the following testimony on two of the bills that are before you today and offer the Committee our assistance as you consider these issues.

SB 242, An Act Concerning Nursing Home Care

LeadingAge Connecticut has no objection to this proposed bill and would be happy to assist the Committee with such a study.

SB 266, An Act Concerning a Right to Rescind a Nursing Home Contract

LeadingAge Connecticut cannot support this bill as proposed. The current laws and regulations regarding nursing home admissions, transfers and discharges would make a three day right to rescind a nursing home admission agreement highly troublesome for nursing homes and particularly with regard to subacute admissions.

The admissions contract provides the nursing home with a source of payment and/or an obligation for the resident or responsible party to arrange for payment through private or public resources. If a resident or their responsible party is provided the opportunity to sign an admissions contract and accept admission into the nursing home, but then rescind their signature once admitted, it would be extremely difficult for the nursing home to then discharge or transfer the resident, assuming the resident chooses to stay. However, without a signed contract, there would be no reliable payer source for that resident's nursing home stay.

The bill calls for a three day right of rescission. For a planned admission, the nursing home may choose to wait for three days after the contract has been signed to actually admit the resident and avoid this concern. However, subacute admissions are often arranged for in a prompt manner so as to facilitate a proper discharge and transfer from an acute care setting. Waiting three days for a subacute admission would be highly disruptive to the health care system as it would require a patient to wait for three days in the hospital before being transferred to a subacute setting for short term rehabilitation. You can see how this would be unworkable.

While we do not support this bill as proposed, we realize that there must be an underlying concern that is prompting the request and we would be more than willing to discuss any such concerns with the Committee.

Thank you for this opportunity to testify and I would be happy to answer any questions.

Mag Morelli, President of LeadingAge Connecticut
mmorelli@leadingagect.org, (203) 678-4477, 110 Barnes Road, Wallingford, CT 06492
www.leadingagect.org