



Testimony to the Ohio House Aging and LTC Committee

Jean Thompson, OALA Executive Director, May 28, 2020

Thank you for this opportunity to address you regarding Assisted Living and the COVID-19 crisis. As foundation knowledge, it's important for Committee members to understand the size of Assisted Living in Ohio. There are 765 licensed Assisted Living Communities in Ohio and 960 nursing homes. While there is currently less COVID-19 probable and positive cases in Ohio's Assisted Living communities than in Ohio's skilled care locations, we are "early" in the fight against COVID-19 in congregate settings. Assisted Living and nursing homes are not the same, however, they both care for high risk populations in congregate settings during this crisis. Assisted living does not have the same level of clinical staffing as skilled nursing homes. Residents, while not acutely ill, have "chronic conditions" or require a supervised, custodial environment due to cognitive impairment. Also, Assisted living apartments are residents' homes, decorated with their belongings and family photos, they live there, making quarantine and isolation very difficult.

Ohio's "response" plan in congregate settings, whether nursing homes or assisted living is essentially a "care in place policy"; which is very difficult and costly in assisted living and for which we are not receiving any relief funding as nursing home settings are. The federal government has provided 4.9 billion dollars in financial support to skilled care facilities across the country. **Unfortunately, Assisted Living is not receiving any of these funds in Ohio. This disbursement amounts to \$50,000 per certified skilled nursing facility with an additional \$2500 per licensed bed.** We hope that the federal government and Ohio, will share any future distributions with Assisted Living. Some states, like Wisconsin, elected to include Assisted Living in this last round of federal financial relief, but Ohio did not. We are experiencing the same kinds of increased costs; for staffing, PPE, sanitizing and disinfecting products and testing. **Assisted Living needs relief funding too.**

Assisted Living has also not been included in any direct distribution of PPE from the federal government, while skilled care facilities early this month started receiving PPE sent directly to them. While the Governor has announced an Ohio distribution, much of it is earmarked for prisons, nursing homes, first responders and others. Throughout this crisis, Assisted Living is being "grouped" with nursing homes, in terms of ODH's listing of COVID probable and positive cases, yet it is not receiving the PPE support it needs. **OALA would suggest a targeted distribution to Assisted Living, given its size in the LTC continuum.** Testing is another example of where nursing homes were supported by the State but not Assisted Living.

Our members are also deeply concerned about liability brought on by COVID-19 and the state and hospital's plan of "care in place". **Our association would like your strong consideration of supporting bills already in the General Assembly related to limited civil liability, unless it is the result of acts or omissions that constitute a crime, actual fraud, actual malice, gross negligence, or willful misconduct.** Given the unfortunate litigious nature of our society, we are concerned that following this crisis, many legal actions will be introduced. While many of them may be unfounded, all suits, even if unreasonable result in significant expenses for defendants.

In closing, thank you for your time and attention. I would be happy to answer any questions I can.

Jean Thompson

Executive Director

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