

WRITTEN TESTIMONY

Ohio House of Representative's Aging and Long Term Care Committee

May 28, 2020

Dear Chairman Ginter,

My sister, Elaine Ruthann Neff, has been a resident of the Biltmore Tower, 210 N. Main Street, Dayton, OH, for over one year. She has significant health issues due to the amputation of one of her legs in addition to an ileostomy. She lives on the 15th floor.

The Biltmore is not a nursing home, but I am at a loss as to how to get the help that is needed, and so I am bringing this matter to your attention with the hope that *you* will choose to help us.

I gladly deliver groceries, provide transportation to and from doctor's appointments and hospitals, provide the comfort and care that only a sister can, especially during emergencies, physical and emotional. I provide dinners (the Biltmore does not). Ruthann has her own in-home nurse that visits for a short time every day. Because there are many times when I cannot be available, I count on **Ruthann's son, Matthew**, to step in for me.

In late March and early April, I was sick and dared not be around my sister lest I expose her to my illness. For that reason, on Friday, April 3, 2020, Matthew planned to take his mother dinner and spend time visiting with her, and the girls were going to spend the night with their grandma as they often did. Matthew began to sign in as usual but was told that **the property manager, Melissa**, had decided that only two people were allowed to visit. No prior notification was given to my sister, to Matthew, or any other resident. Matthew appealed that he *at least* be able to deliver the food. The answer was, "No." Matthew couldn't leave two of his children in the lobby, and he certainly couldn't leave them sitting unattended in a car in downtown Dayton. With three children in tow, instead of only one, he delivered the food to his mother. In tears, Ruthann called the property manager, but to no avail.

And, **for the crime of taking his mother dinner, the property manager wrote Matthew up for trespassing, and he is now blacklisted from visiting his mother.** Three days later, the property manager notified residents of the new "only two visitors" rule. My sister tells me that the rule has not otherwise been enforced and grandchildren are having sleepovers.

I have called the property manager several times. I explained Matthew's need to be able to care for and visit with his ailing mother. She said she would check with the health department. I, too, checked with the health department, and I was told that the restriction only applies to hospitals and nursing homes and that the restriction had nothing to do with the Biltmore.

There are many issues, but the most significant issue is that I depend on Matthew to be there for Ruthanne when I cannot be there for her. Matthew has apologized to Melissa for being angry

with her. He has begged to be able to see his mother. The health department did not require the imposed restriction; the decision was unannounced, arbitrary, and cruel. Also, Ruthann's psychiatric physician and her therapist have written letters stating that Ruthann needs to stay connected to her emotional support system. Ombudsman Deborah Ferguson has also spoken with Melissa a couple times without any resolve.

The Governor uses the word "essential" when acknowledging that some activities must continue. Providing for my sister's physical, mental, emotional, and spiritual well-being are all essential activities.

I attempted to contact **Luke Elton (937-683-3235)**, the property manager's superior, but I have received no reply.

It seems highly unlikely that we are the only family in the State of Ohio that has encountered unannounced, arbitrary, and cruel decision-making, and then have our appeals for mercy be repeatedly ignored by the very people that should have compassion for others.

I regret that I cannot attend the hearing in person, but I will watch it on the Ohio Channel.

We are now on day 56. Please help us.

Thank you, and may the Lord bless you for caring for the needs of others.

Julie Bowers

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Attachments: (2)