

**Testimony on Senate Bill 158
Before the Senate Judiciary Committee**

September 19, 2017

Good morning, Chair Bacon, Ranking Member Thomas, and members of the committee. I am Pete Van Runkle with the Ohio Health Care Association. We are the state's largest organization representing long-term services and supports providers.

I am here to speak in support of Senate Bill 158 and to express appreciation to Senator Wilson for taking on the issue of elder fraud.

I'm speaking not only as a representative of OHCA but also as a person affected by elder fraud.

My mother was a victim. She is now in assisted living, but at the time, she was 85 years old, fiercely independent, and living on her own in a general-occupancy apartment complex. She also had a fair degree of dementia even then. I discovered that several valuable items had come up missing and then found in her checkbook that she had written a \$9,700 check out to cash. This was quite out of the ordinary for her, especially as she only had about \$60,000 to her name, and the cash was nowhere to be found. Mom of course could not remember what had happened, other than a vague recollection that two women had come to her door, supposedly selling flowers.

As I investigated, it turned out the check was cashed at a bank branch that was not her customary one. She entered the bank alone, and despite her advanced age and confusion, and the lack of any history of such transactions, she was given the cash – just \$300 below the maximum permissible - without any questions being asked. This occurred even though I had worked with her normal branch to ensure that I would be notified of anything unusual with her account. Law enforcement could do nothing because of her lack of recollection.

My personal story aside, it is well-known that the elderly, particularly those with disabilities and failing memories, are easy targets for fraud. Any fraud is bad, but it is especially bad when the perpetrator singles out the most vulnerable members of our society.

We applaud Senator Wilson for taking steps to address this problem. He met with a variety of stakeholders before drafting Senate Bill 158 to vet different ideas and drew on his extensive background in banking, including experience in preventing elder fraud, in developing the bill. While reasonable minds could debate if the measures in SB 158 are the right ones or are sufficient, we need to start somewhere, and Senator Wilson has taken up the challenge.

The human consequences of elder fraud are obvious: seniors being stripped of their financial assets, their security, and their dignity. What may not be so obvious is the impact on Medicaid and the cost to taxpayers.

The majority of people who make it to their retirement years ultimately will need long-term services and supports. When they run out of money to pay for their care, they turn to Medicaid. Whether it is home and community-based care or facility-based care, long-term services and supports are expensive. An elder who has been defrauded out all or part of their life savings will spend down to Medicaid all the sooner. In my mother's case, while she wasn't victimized for a huge sum of money, she ended up going on Medicaid a full two months earlier than she otherwise would have.

Thank you for your attention to this issue. I urge the committee to report SB 158 favorably and would be happy to respond to any questions.