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Senate Health, Human Services and Medicaid Committee
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Sponsor Testimony SB 255

Good afternoon, Chair Burke, Vice Chair Huffman, and members of the Senate Health, Human Services and Medicaid Committee. Thank you for this opportunity to provide testimony on Senate Bill 255, which would allow residents of a residential facility to conduct electronic monitoring of their room.

This bill is named for Esther Piskor, whose son, Steve, was concerned with her quiet moods and the unexplained bruising on her body while in a nursing home in Northeast Ohio. Esther's son then placed video cameras in her room and caught horrific footage of her being assaulted by healthcare professionals.¹

Unfortunately, this issue is not unique to Ms. Piskor or to Northeast Ohio. There have been numerous cases across the state including one in 2019, in which an aide at a Dayton nursing home was charged with abusing a 90 year-old woman in her care. When the woman was unable to get out of bed, the aide jerked her violently into a sitting position and then proceeded to force her into a standing position, leaving her with neck pain and bruising on her arms.²

Additionally, in 2017, a Franklin County grand jury indicted seven former nurses at a nursing home in Columbus on charges of involuntary manslaughter and patient neglect. One patient developed

¹ <https://www.wkyc.com/article/news/son-pushes-for-cameras-after-mothers-nursing-home-abuse/95-aa80fc49-2cad-455b-8ce5-163512ae9783>

² <https://www.whio.com/news/crime--law/dayton-woman-accused-patient-abuse-appear-for-final-pretrial-hearing/Ann5exTttnynkoPerB9dK/>

wounds on his body that progressed to gangrenous and necrotic tissue as a result of nurses' neglect. He later passed away from septic shock. Another suffered physical harm because nurses falsified her medical records and forged signatures.³

In the legislation, the installation and use of an electronic monitoring device may be authorized only if both of the following conditions are met:

- (1) The resident or the resident's guardian completes the necessary form and submits it to the residential facility. The Director of Health shall prescribe a form for use by a resident seeking to authorize the use and installation of electronic monitoring device in resident's room.
- (2) The cost of the device, the cost of installation, maintenance, and removing the device is paid for by the resident or resident's guardian.

The long-term care facility must then post a notice stating that an electronic monitoring device is in use in a particular room. This legislation also prohibits retaliation against a resident who authorizes electronic monitoring and the intentional obstruction, tampering with or destruction of any device or recording.

The goal behind this legislation is to give elderly residents and their families the option to place an "electronic monitoring device" in a fixed position to record activities and sounds occurring in the room. The objective is to mitigate the occurrences of Elderly Abuse within nursing home settings in Ohio.

Elder abuse refers to any knowing, intentional or negligent act by a caregiver or any person that causes harm or serious risk of harm to a vulnerable adult. There are more than 16,000 reports of abuse, neglect, and exploitation made each year in Ohio.⁴ We need to be doing more for the aging citizens of Ohio, and we believe this is an important first step.

Thank you for the opportunity to testify on this important legislation, and we are happy to answer any questions the committee may have at this time.

³ <https://www.cnn.com/2019/02/14/health/ohio-nursing-home-patient-neglect-accusations-bn/index.html>

⁴ <http://jfs.ohio.gov/ocf/APS-Data-Fact-Sheet-2017.stm>