

Written Testimony on HB 770

Submitted by Clyde C Williams II

Aging and Long-Term Care Committee, 12/01/2020

Chair Ginter, Vice Chair Swearingen, Ranking Member House and the members of the House Aging and Long Term-Care Committee.

Thank You for allowing me to submit a testimony a proponent of HB 770. I am the Power of Attorney and Designated Representative of my Grandmother Helen Williams that is a resident of a Nursing home in Athens County Ohio.

My Grandmother has relied on my assistance and guidance for her personal healthcare for the last 20 years. She has been in a nursing home for around 4 years and still relies on my input. A recent example of this is when she refused to have a COVID-19 test administered. She was only willing to take the test if I was able to be there when she took it. This is not an isolated problem I think I can safely assume that almost everyone knows at least 1 person who always has to be convinced to go into the doctor's office. How would it make anyone reading this testimony feel if you could never see your parent, grandparent or other loved one in person to convince them to get that heart checkup or that lumped checked out and now to get a COVID-19 test when they get a fever combined with loss of taste. My grandmother like many other residents already know that they will be moved from their room into a COVID unit with even less interaction then they have now if they talk with staff about symptoms that they may have.

I have always tried to ensure that my grandmother had a right to make the final decisions. I am a firm believer that her rights as human and a U.S Citizen did not end when she transitioned into a nursing home. I used the law that protects her rights to get her out for visits starting in Aug after months of the State of Ohio failing to come up with an acceptable plan to reconnect us.

The Nursing Home Reform act established rights for our seniors living in these facilities and any plan that violates the rights is a failure to the very generation that fought the fight to get the act passed in 1987. Likewise its also a failure on our part to not act to come up with a plan based around their fundamental rights.

- Under the Nursing Home reform act terms are already acknowledged such as “Resident Representative”
 - I would like to see the term “Essential Caregiver” replaced with “Resident Representative”
- Under the Nursing Home Reform Act there is a requirement that the residents have “ The Right to a social contact/interactions with family members. It's a long shot to assume that in 1987 they thought Skype or other contactless platforms would be acceptable.

- I would like the context that calls for the Facility to be consulted on any visitors and that those visitors may be required to provide any type of care be removed. The Residents have a right to social contact/interactions with no stipulations.
- I would like it added that a resident always has access to their representative except during a period of no more than fourteen days when a safe plan is being put into place. Examples include quarantine of that specific resident while waiting for PPE, testing tools, results including the quarantine period for a positive result.
- I would also like it added that facilities must provide at no cost a telephone or means of acceptable communication when practical for the resident in the resident's room with accommodations for specific needs including such as.
 - Phones with large buttons
 - Phone with memory dial so it will call their representative with no dialing or searching for a number to dial.
- These resident rights have been enforced and acknowledged for many years. Any plan needs to ensure that these rights are not violated including monetary assessments given to a facility that violates the already established rights of residents.
 - Residents are no less of citizens of this state that I or anyone else is. It's the responsibility of all representatives to ensure that their constituents voices are heard and at least for the demographic of people thus far that has been a failure.

I end this testimony with this. I have tried to assume that the current rules and regulations really had for the most part the best interest of our seniors in mind to keep them safe from COVID-19. The current trend thus far is a failure. There has been no reward for the sacrifice that many families have taken over most of 2020. I did get my grandmother out for visits a few times the last time being in October. Many families have been denied this and for what? My grandmother turned 83 years old on November 28, 2020 and what did she get for her birthday? A Covid 19 diagnosis she is currently in quarantine at the facility but what is different about that than any other day for the last several months? Absolutely nothing! She is completely disabled. She does not leave her room, does not get up to even use the rest room on her own. The only close contact she has is that staff that is wearing PPE or at least is supposed to be wearing PPE. I have not been able to observe the staff in the facility because I have not been allowed inside for months.

Families are on edge we have spent that last year watching our elders have their rights violated by the very Government that represents them. I ask that these proposals be taken into consideration and let's make a plan that protects and rightly serves the current generation that are living in facilities. The generation that help build our communities, state, and country as we know it today.

Thank you for the opportunity to submit this testimony

Respectfully

Clyde C Williams II

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