

Written Testimony on HB 770
Submitted by Vicki Kratthefer
Aging and Long-Term Care Committee

Chair Gintner, Vice Chair Swearingen, Ranking Member Howse, and other members of the House Aging and Long -Term Care Committee

My name is Vicki Kratthefer, I am the Guardian of my sister who resides in a nursing home. Thank you for allowing my testimony on HB 770. Since March, my sister has suffered and struggled in the facility she resides in without having reasonable and necessary access to me who has legal authority to assist, support, advocate and protect her through designation of Legal Guardian.

In March, I accepted there would be a period of time she would not have access to me until a safe plan was developed. However, a safe plan for my sister to have access to me at all times has not happened in eight long months. The public has been told to learn to live with covid, however, this has not been done in long term care. Our state leaders told us we could not visit to protect those in long term care from covid. However, we continue to see a high number of deaths, which prove covid cannot be kept out of long term care facilities and they cannot be protected. My sister has had 17 falls since covid, with one causing injury to her head. My sister is not protected not only from covid, but is not protected from neglect that happens due to the known understaffing in most facilities during this crisis. Having no meaningful regular outside over site has left my sister unprotected. Many healthcare workers and families are reporting facilities are taking covid patients from the hospitals where it is directly being brought in to non covid residents. How can families be a bigger risk who will do all they can not to bring covid in. It is crucial and time for all residents have access to one primary support person designated by them or those that hold legal authority through a POA or Guardianship at all times. A safe plan needs engaged whether there is covid or not. I do not feel there is a need for a new title of Essential Caregivers as that is what I am in my Guardian status. An Essential Caregiver should not be prioritized to go in ahead of a legal guardian who has the authority and oversees the overall well being of the resident. I believe it is more justified to give access to the Resident Representative who is legally recognized by Federal Law to be able to visit in person as they make sure all needs are met including care.

I would like to see Essential Caregiver in this bill replaced with the title of Resident Representative as this title is recognized in Federal Laws. I hope this bill will allow the resident to have access to their representative at all times with a safe plan in place that may require testing or PPE to be paid for by the representative. This is not only a legal issue, but a moral one as well. My sister should not stop having meaning due to an emergency. She should not be put in the most restrictive environment when there is a less restrictive environment that can be given. She should not have to fend for herself going months without my assistance which is critical to her well being. She should be left unprotected from neglect.

Thank you for this opportunity to give testimony on this bill.