

Dedicated to Quality Care in Ohio

www.elderlyadvocates.org

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Chairwoman Manchester, Vice Chairman Cutrona, Ranking Member Liston and members of the House Families, Aging, and Human Services Committee thank you for the opportunity to provide interested party testimony today on Sub SB 58.

My name is Paula Mueller, I am founder of Elderly Advocates, a nonprofit, nonpartisan organization. Our mission is to improve the quality of life for the elderly and all residing in long-term care. My uncle passed away due to a chain of bad events, which started with five falls in a week in a nursing home. His last fall sent him to the hospital where he could only pick up HA MRSA and died screaming my name for hours and hours while grabbing my arm. This image, and the terror I saw in his eyes haunts me forever. He and I were very close, and I live with much guilt even though it truly is the broken healthcare system that failed him and made our goodbye horrific and nothing like I ever imagined. I too, like many others, tried 8 plus facilities thinking I had just picked the wrong one, until I figured out poor care was the normal standard of care and resident rights meant little.

This organization was started to address the well-known issues in long-term care, and we felt we had many solutions to offer that would benefit residents, families and even facilities. However, covid brought poor care to a level we would have never imagined that we would have such harder challenges in long-term care and to us as a newer organization. This pandemic caused situations none of us were prepared for or ever saw coming.

We have seen the overwhelming stories in the news reporting poor care and the heart wrenching results of that, heartbreaking pictures showing graphic disturbing pictures of injuries or infections obtained in long-term care, testimony from families on the lack of solutions, and many other sources that confirm this very poor care exists for many and the urgent need for help. These are not just residents, they are mothers, fathers, sisters, brothers, aunts, uncles, and all loved ones that all we want is for them to be respected, maintain their dignity, and receive acceptable care regardless of income or payment source.

We agree that the agencies out there to assist and help residents and families are one of a broken system. Through the pandemic we have seen many situations referred to the Ombudsman Office, however, they do not have authority to enforce many of the rights that were taken away from residents. and do come across as ones to try to put out fires or smooth things over. We feel there is a good purpose for the Ombudsman, but their responsibilities in this pandemic were more than they should have been given to resolve in our opinion. Unfortunately, we have no choice but to report most of our families feel the Ombudsman “does nothing” for them. We can do better than this. In this pandemic the ODH did not ensure consistent policies in all facilities in obvious situations they could, and that left the families in a frustrating situation. Some facilities had unwarranted severe visiting restrictions and some facilities were very reasonable. These inconsistent policies continue today which takes a toll on not only the residents, but the health of the families as well in constantly having challenges visiting their loved one in a meaningful way.

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Families have also had the challenge of being the only ones to face extreme restrictions or no visiting allowed at a facility many times due to trying to keep covid out. However, it is reported facilities bring covid into the building directly from the hospital, staff that leaves the building after their shift are a huge risk every time they return to the building, vendors test positives. So, with all these other huge risks, it is really making a major impact to keep families out? With this ongoing situation, cameras are needed more than ever as visiting is not consistent these days and going forward even after the vaccine.

In prior testimony, we have seen the response of the committee in their desire to help and we are very grateful for your concern and desire to help the residents and families in long-term care. With the pandemic, and residents and families losing communication many times including currently, the need for cameras is obvious. Cameras will be of great help, and it is our hope they will be a proactive tool in being able to call the nurses station if they see their loved one needing help. Families can monitor their loved ones and usually know by looking at them if something isn't right with them. Families do not want cameras to get proof to sue facilities. They want cameras to help stop bad events and outcomes. No money will replace their loved one or erase guilt.

- We believe it is critical to include Assisted Living Facilities in this bill, many of the residents there have severely struggled through this pandemic, and they should not be left behind or left out of a law due to the facility not receiving Federal Funding as we understand this could be an issue and we do not understand why.
- We believe there needs to clear and specific information on the form to be completed before a camera is installed and the procedure and timelines. The current version of this bill's states "if the facility has a form" or later in the wording it states a long term care facility "may" prescribe a form. We strongly believe that to protect residents and facilities, there should be a form that "must" be completed and there "shall" be a timeline of the process to install a camera.
- We also believe it is fair to put a sign outside the door, as we want to encourage acceptable care.

We have attached a camera law from MN that was passed in the last couple of years that we believe is a good example of a prescribed form and law for cameras. MN bill includes being able to install cameras without the facility knowing for up to 14 days. SB 58 lacks emergency placement of cameras, however, at this point we just hope to see the concerns we have, addressed.

It is critical to have consistent policies the families can follow no matter which facility the resident makes their home. It seems there is no reason for forms or procedures to be different on installing cameras in a resident's room. We hope to see this bill have clear steps and timelines in installing a camera that this law will work as intended after it is passed. The residents and families have been through enough. Just as it was found reasonable for an immunity law, this should be reasonable for families to want to have protection for their loved one.

Thank you for allowing our testimony. I will be happy to address any questions that you have.

Respectfully,

Paula Mueller

Founder of Elderly Advocates