

Chair Roegner, Vice Chair McColley, Ranking Member Craig and the Honored Members of the Government Oversight and Reform Committee,

My name is Jennifer Walker and thank you for allowing me to provide testimony in support of SB 22. I want to tell you my story and how the Governor's ongoing overreach with his orders, mandates and curfews has affected my life.

The most important way the Governor's continued overreach, orders and mandates have affected me is by keeping me away from my mother. My mother has dementia and Congestive Heart Failure (CHF). On August 15, 2020 I received a call from my father that he had taken my mother to the bathroom, but due to her inability to comprehend and assist him with standing up, he was unable to get her up off the commode and back to the sofa. He'd called my sister who lives about 10 minutes away, but even the two of them could not get her up. They had to call the squad. Due to the edema in her legs, along with her inability to walk, my father had the paramedics take her to Adena Regional Hospital. She was admitted to the hospital for cellulitis, among other diagnoses. Due to the Governor's mandates and orders, despite my mother having dementia and unable to answer questions and make decisions, the hospital would not allow a single visitor. My mother was alone in the hospital from August 15, 2020 until August 20, 2020. When they were ready to discharge her, it was suggested that she might benefit from physical therapy for strengthening and regaining some ability to walk with a walker again. My father is 82 and doesn't have the strength that he once had and has been unsteady himself, so my father made the difficult decision to allow my mother to be admitted to CareCore at Westmoreland, a decision that we have regretted.

My mother was admitted to their dementia unit on the 3rd floor of the facility. I have been a Licensed Nursing Home Administrator in the State of Ohio since August 15, 1996. Although I am no longer practicing in the profession, I maintain my license and understand the rules and regulations that a nursing home must follow. Throughout my career I had 3 perfect surveys in nursing homes, including one with Federal Surveyors present and 2 perfect surveys in Assisted Living residences. I never had substandard care, my surveys were always at or below the state average number of deficiencies which at the time was 4 and with a scope and severity of a D or less. I also never had any complaint surveys. I am appalled at the number of complaint surveys that the facility my mother is in has had just since the beginning of 2020. I have my mother on a waiting list for another facility with a much better survey history, but when I placed her on the waiting list she was about 65th on the list and with Medicaid as her primary payor she may pass away before a bed ever opens up for her. I have been dissatisfied with Westmoreland since her admission. For starters, we have been unable to visit my mother except for one time in all of these months. The facility was **not allowing even outdoor visitation** back in the warmer months when she was admitted, which the Governor had allowed facilities to do around the end of June. There has been little communication from the facility from day one and despite "their new policy" back in late September about weekly call updates to family members, we only get a call every other week from one nurse when she works. Otherwise, we have to call the facility to get any information. When I have called the facility on my own, I get information about my mother that is conflicting with the information we get from the other nurse on the weekends she works, so we don't really feel we know what is going on with mom. With my mother's dementia, she is not able to sign admission paperwork and my father was never asked to do so. No one ever called to ask about her food preferences or anything. She has never gone by her legal first name her entire life, but has always gone by her middle name. Despite telling the facility this, they still called her by her first name and not her preferred name until I finally was able to put a

stop to it in December. Nine days after her admission, she fell and fractured her wrist in the facility. The x-ray service still had not come out to x-ray her wrist by 1:30p.m. the next day and the nurse had to change the order to stat to get them out there. It wasn't until two days after her fall that she went to the hospital to have her broken wrist treated. After the Centers for Medicare Service issued a directive that nursing homes could resume in person visits or potentially face penalties and the Governor issued his order that nursing homes could resume in person visits on October 12, 2020, but only one visitor for 30 minutes, my sister managed to see her on her birthday which was October 24. While she was there, she took a video so that the rest of the family could see her. My mother looked awful. The facility went back on lockdown on November 10, 2020 and has remained so with no visitation allowed. In fact, the Ohio Department of Health cited them with Immediate Jeopardy, the worst level citation a facility can receive, from November 10, 2020 until December 23, 2020 because of their failed Infection Control protocols keeping C-19 positive residents in the same room with negative residents, staff using the same PPE from resident rooms with positive residents to resident rooms with negative residents, allowing asymptomatic staff to continue to work and not following CDC guidelines. Because my mother is in a room on the 3rd floor of the facility, window visits are not possible. Because of my mother's dementia, phone calls or video chats have not really been possible. **I have not been able to see my mother or talk to her since before she went into the hospital. If and when I am able to finally see her again, I'm not sure that she will even recognize me or anyone else in the family. I am scared to death that I will never see my mother alive again.** I filed a complaint against the facility with ODH on September 11, 2020 regarding a number of issues that I was unhappy with since her admission. I received acknowledgement from ODH on September 16, 2020 that they had received the complaint and were forwarding my complaint to the district office because they felt it needed further investigation. To date I have received no further correspondence regarding my complaint. I have a state provider website that I can check survey information from when I was a practicing Nursing Home Administrator and although this facility has had about 5 complaint surveys since I filed my complaint, my complaint has not yet been investigated. Not being able to see my mother has caused me much stress and anxiety and worsened my depression. I tried to get Home Health and Hospice services for my mother set up to bring her home, but the services that were offered only amounted to 8 hours a day - 6 from Home Health and 2 from Hospice and that is only if they had the staff to show up. I had been told by the Area Agency on Aging District 7 that they had been having staffing issues. This left at least 16 hours per day that my dad would be left alone to try to care for mom and with his health, I was unable to bring her home because I couldn't risk something happening where they both got hurt. Because of the no visitation, I can't lay eyes on my mother to make sure she is being taken care of, that she is getting the assistance she needs with activities of daily living, that she doesn't decline further and more quickly than if she was around her family, that staff interact with her appropriately and she is checked on regularly since she wouldn't understand how to use a call light. These are things that I would know to look for having worked in long term care for 20 years.

Other ways that the Governor's ongoing overreach with his mandates and orders has affected my life is just being able to go out and purchase the items I need without being subject to harassment by businesses and random people that I encounter while out. I have trouble wearing a mask due to several medical reasons and religious beliefs. While the Governor's orders allowed exemptions for these, he has threatened businesses with fines and being shut down by having his "brown coats" come into businesses to check compliance. Because of this many businesses have decided to **NOT HONOR THOSE EXEMPTIONS**. This has caused me issues with being able to buy groceries and other necessities and conduct in person business. For

example, Giant Eagle will let you in their stores without a mask, but then refuse to check you out. I used curbside services prior to C-19, but there are some things that stores **STILL DO NOT OFFER VIA CURBSIDE** which means I have to be able to enter the store to get the needed items. I have attached screen shots of examples from the Walmart app that show Tidy Cat cat litter, Splenda, Magnesium supplement and toilet paper not being available for curbside. Kroger and Meijer will often have soap, sanitizing wipes and disinfectant sprays only available in store and not available for curbside. You can't purchase a gift card for curbside pick up either. Stores use the excuse that they are a private company and can do what they want. Well, they may be privately owned, but unless they are a members only establishment, they serve the public. Because they serve the public this does not mean that they do not have to abide by the ADA, the Civil Rights Act or are able to deny people their Constitutional Rights. In the Spring, Summer and early Fall, I like to shop outdoor Farmers Markets (specifically Worthington, Delaware and Lynd's) where I can purchase locally grown and produced food and support local businesses. I shouldn't be prohibited from doing so because I can't wear a mask. The markets are **OUTDOORS** and it **IS** possible to social distance at these outdoor markets. Just because someone can't wear a mask doesn't mean we are all anti-maskers and we are crop dusting everyone we see with C-19. We as a society **HAVE NEVER TAKEN SUCH EXTREME MEASURES even when H1N1 was the new scary virus or during the Ebola scare a few years ago.**

This "state of emergency" has gone on long enough and the checks and balances need to be restored. The Governor has only succeeded in turning Ohioans against one another, ruining people's livelihoods, separating families, hurting Ohio's economy and creating more debt for the state. I am asking you to hear my story and that of hundreds of others that have been affected negatively by the Governor's continued overreach, orders, mandates and curfew. Get SB 22 passed in the Senate and later the house and return Ohio to the wonderful state to live in that it once was.

Respectfully submitted,
Jennifer Walker

