



Elderly Nursing Home Abuse Advocates

Est. 2011

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Dear Chairman Huffman, Vice Chair Antani, Ranking Member Antonio, and members of the Ohio Health Committee.

This is my second proponent testimony. I would like to cover just a few items that have not been discussed.

The video for Esther's Law can only be viewed by the person who has the authority to put in the camera. Not even the nursing facility can view the video without the consent of the Guardian.

The video can be used in a court of law as evidence, and the guardian must follow the procedures of notifying the long term care facility, the Department of Health and proper authorities such as local police and the Ohio State Attorney General. The video cannot be streamed or posted on social media.

The camera uses WiFi to be able to view the video remotely and is fully password protected. Most long term care facilities have Wifi and if the facility will not let the Guardian use their WiFi it will have to be purchased through a provider at the cost of the resident and or Guardian. All WiFi providers have low cost WiFi to senior citizens as low a \$10 to \$15 per month. I would recommend to resident that they obtain their own. Cameras can still work without WiFi since they record on an SD card. My hidden camera only used SD cards and every day to up to a few days I switched the card out and took the card with the video home on my computer to download and watch it. This option still gives you a chance to view your loved ones care.

Several years ago the Ohio Legislator passed legislation that made it a felony to abuse an animal. We all have pets and they are family, I have never been without a dog in my entire life. But there is NO automatic felony charge for the abuse of the elderly. In my mother's abuse one aide was charged with a plea bargain down to seven felony charges and judge gave her the maximum on each charge. The second aide plea bargained to a misdemeanor charge. The prosecutor in court told me that she would not serve any time. I said that there was no agreement to that and we would leave it up to the judge. He asked me if I wanted to present the case to the judge and I did. The prosecutor did not say a word, I did all the talking. I told the judge that if she just gets a slap on the hand she would have not learned anything. I told the judge that she was 22 years old and she could have this charge expunged from her record and go to school and become a judge. Both judges were very mad it court and gave both of them the maximum penalty by law that they could give. I did this at both trials and the Cuyahoga County Prosecutor and the Ohio Attorney General Prosecutors were in shock that the judges did this.

The problem is that police, prosecutors, judges and attorneys see the most gruesome crimes that are committed and when they see the elderly being abused it does not look as bad as what they are used to the crimes they see. The Maury Povich show was doing a "shocking video caught on camera" show and asked if they could use my videos. Maury Povich said the video was not "shocking enough", I told him I hope you are never shocked in a nursing home. Esther's Law also brings recognition to a problem that has been going on for over 100 years.

The Health Care Association has in every State that this law is in expressed concern about "privacy". They never at any time said they concerned about stopping the abuse of the elderly. The Department of Health said they cannot substantiate any claim of neglect or abuse that they do not see. These two organizations do not make the laws, they follow the laws that you make. Pass Esther's Law to make it a law for them to follow.

An Ohio Legislation that died last year for essential family members to be let back in long term care facilities has also been reintroduced. This legislation is now outdated and should be resubmitted as a law to protect family from being locked out in future infectious control. No family and resident should be locked out from seeing each other. Over 75% of nursing home prior to COVID was cited for poor infection control. We cannot let nursing homes use this to stop family visits.

Nursing homes can ban family members at any time for any reason. This must stop. We cannot give long term care facilities this power to stop family visit.

Courts can appoint a Legal Guardian to you loved one and you lose all rights to have any say so to their care. The Court becomes the Supreme Guardian and your loved one becomes a ward of the state.

Esther's Law will not solve all problems as you can see there are many and many more not mentioned here. But it will help stop neglect and abuse. We need to stop the abuse now and pass Esther's Law.

Steve Piskor