



Sponsor Testimony: House Bill 120

State Representative Tracy Richardson, District 86

Senate Health Committee

June 2nd, 2021

Thank you Chair Huffman, Vice Chair Antani, Ranking Member Antonio, and members of the Senate Health Committee for the opportunity to testify on House Bill 120. I stand before you today on behalf of many of our constituents. Specifically, I'm referring to Ohioans residing in long term care facilities and also their beloved family members longing to see them. Both have been suffering during this COVID-19 pandemic due to separation. During the last fifteen months, countless Ohioans have contacted my office and those of many of our colleagues regarding concerns about access to their loved ones. We have heard the cry of those who desperately want to provide life giving support to a father, mother, grandparent, sibling, or friend. The truth is that access has inhumanely been denied. This bill will ensure that access cannot be denied when compassionate care is needed.

The bill began when I first heard from a resident of my district whose work includes daily contact with senior citizens. She explained the depression, weight loss, decrease in cognitive function, and loss of will to live on the part of residents in long-term care facilities during the pandemic. She also explained that these conditions were and are exasperated by the helplessness expressed by family members wanting to impact the quality of life of their loved ones. After learning about these compelling issues, I knew we had to do something.

Thoughtfully, we looked to policy in other states and to experts to balance life-giving and vital access to residents while protecting them against a life-threatening virus. We acknowledge that facilities have the difficult responsibility to protect the lives of residents and employees from COVID-19 while still allowing compassionate care access for family members.

House Bill 120 allows family members access to loved ones in long-term care facilities in compassionate care situations. These situations include when a resident is struggling with the change in environment and lack of physical family support; grieving after a friend or family member has recently passed away; experiencing weight loss or dehydration and needing cueing and encouragement when eating or drinking; experiencing emotional distress from isolation as demonstrated by behavioral changes such as rarely speaking or crying more frequently; or finally if a resident is approaching "End of Life". "End of Life" visits must include a requirement for the facility to permit at least two visitors per resident for a minimum of two hours.

Under the bill, long-term care facilities are required to develop and implement a visitation policy regulating compassionate care visits. Caregivers must be screened and meet certain health and safety requirements, including screening for COVID-19 symptoms and wearing personal protective equipment.

The bill also permits access of healthcare and other workers who are not employees of the facility to enter the facility to provide care. These professionals include but are not limited to hospice, clergy, and emergency medical service personnel.

In addition, facilities are required to communicate the right of residents and families to contact the Office of the State Long-Term Care Ombudsman Program. The bill also specifies that the facilities addressed in this legislation receive qualified civil immunity in accordance with HB 606 of the 133rd General Assembly.

Finally, this legislation is intended to clarify and uphold existing orders from the Ohio Department of Health and Federal guidance for the Centers for Medicare & Medicaid Services to ensure that families and residents have access to one another under compassionate care circumstances.

A great deal of effort has been exerted with this bill including coordination with over twelve individuals and organizations. We have worked tirelessly to amend the bill to make sure this legislation is meaningful and viable policy. The bill also received bi-partisan support in the Ohio House, including sixty co-sponsors. We have no known objections to the bill.

Having a loved-one in isolation in long-term care facilities is a pressing and stressful issue facing many families throughout Ohio. Emotional health is critical to quality of life, and the lack of human interaction for long-term care facility residents has been devastating. Quite frankly, this bill is a matter of life and death. While we cannot measure the impact of loneliness and isolation with precise testing data, we certainly can see the change in the demeanor and behavior of long-term care residents. You will have the opportunity to hear from family members describing their experiences here in committee.

As I close, I ask you to consider what your life would be like if you were a resident in a facility? Would you want to see and interact with your family? Would you hope that someone would be your voice to help you in loneliness and lack of human interaction?

If your answer to any of these questions is “yes” then you most certainly want to support this bill.

As we move forward, we recommend amending the bill to create a permanent policy that would ensure and provide compassionate care access in any future pandemic.

Thank you again for the opportunity to present sponsor testimony. I will be followed by my joint sponsor Representative Frazier.