



Invited Testimony: House Bill 120

State Representatives Tracy Richardson and Mark Fraizer

Senate Health Committee

March 23rd, 2022

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, the Compassionate Caregivers Act. I am here once again with my joint sponsor, Representative Fraizer.

I hope you all had a moment to read through the subbill and comparison document in preparation for today's hearing. I will briefly recapture the intent of HB 120, in addition to explaining the changes of the subbill. Finally, we will answer any questions you have.

House Bill 120 began when a resident in my district, who had daily interactions with senior citizens, contacted me with her concerns. 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 COVID-19 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. We have since learned that many of our constituents throughout Ohio have similar concerns.

In drafting the original bill, we looked to policy in other states and to experts to balance life-giving and vital access to residents while protecting this vulnerable population.

As a reminder, HB 120 allows family members access to loved ones in long-term care facilities in compassionate care situations. These situations are also detailed in CMS guidance and 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". These situations do not change in the subbill.

HB 120 and the subbill permit 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.

The newly created subbill before you does make a few changes to HB 120. Specifically, the subbill changes the scope of the bill from COVID-19 to apply to any future epidemic, pandemic, or other state of emergency. During these instances, long-term care facilities are required to develop and implement a visitation policy regulating compassionate care visits.

The version of House Bill 120 that passed through the House Chamber 89-2 has also been amended to remove all language referencing HB 606 (Business Immunity bill) of the 133rd General Assembly as that legislation has now expired. Additionally, the subbill codifies HB 120 into permanent law, removing all expiration dates.

Lastly, we have removed the emergency clause, as it is no longer necessary.

A great deal of effort has been exerted with this subbill including coordination with over twelve individuals and organizations. There is no known opposition to the subbill.

We have learned that having a loved-one in isolation in long-term care facilities during an epidemic, pandemic, or state of emergency is stressful and difficult for families and residents throughout Ohio. The COVID-19 pandemic demonstrated that emotional health is critical to quality of life. The lack of human interaction for long-term care facility residents had devastating effects! Our goal is to prevent this suffering in the future with this subbill.

Thank you again for the opportunity to speak about compassionate care access. We ask your support of the subbill and will now answer any questions.