

February 9, 2023

Members of the House Judiciary Committee,

My name is Kris Erickson, and I am the CEO of a 111-year-old nonprofit Lutheran mission dedicated to senior care. I have been licensed and serving senior citizens for 22 years. I write today to request you strongly **oppose HB 2246**, and to offer myself as a resource for further questions.

The bill, as presented is dangerous on multiple fronts. As written HB2246 is a direct interference of government into the operations of a healthcare entity. HB2246 sets a dangerous precedent of handing decision making authority over any public entity to a committee of untrained and unqualified individuals. While physicians are very highly educated, few specialize in gerontology and almost none have an understanding of the operational requirements of senior care environments. The office of the Ombudsman also lacks the qualifications to properly evaluate healthcare issues and safety issues within a building. Perhaps most dangerous is the requirement of preauthorization to issue discharge notice even in the case of immediate danger. When a healthcare condition results in severe illness or violent behavior, waiting 48 hours for permission to issue a discharge notice endangers all involved.

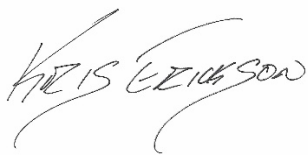
Current statues, as written are sufficient to address the consumer protections needed. Senior care professionals have the training, expertise, and motivation to protect those in their care and those who work for our seniors. Injecting uninformed third parties into critical decision making jeopardizes the health and safety of all involved. No emergency responder is required to host a committee to intervene in the presence of danger, why would we require committees before intervening in a high risk healthcare situation? Discharge decisions are never made lightly, nor spontaneously. Discharge is always a last resort and is only done when all other options have been exhausted. If there is a problem with a specific community's discharge process, it should be addressed on an individual basis rather than creating unnecessary and dangerous changes to existing regulations.

I understand the motivation of those who initially proposed and supported this bill. Being asked to move in your senior years is very hard for all involved. This is why choosing the correct senior care setting is critically important to long term health and well-being. Assisted Living is designed to provide oversight and limited assistance to seniors. The existing regulation set explicitly explains the limitations of Assisted Living Care. The operations and structure are entirely designed in a manner that cannot support acute care needs. Acute care is the domain of Long Term Care and hospitals. Insisting that individuals with acute care needs remain in Assisted Living is equivalent to visiting a healthcare clinic and insisting they provide cardiac surgery. Clinics are not designed for advanced surgeries, and Assisted Living is not designed for, nor capable of, supporting advanced care requirements.

Those supporting this bill see it as a way to keep an elder in a familiar living environment. If passed, this could mean an elder fails to receive timely care because the family did not understand the person's medical needs, an elder could be harmed if a change in health led to unpredictable violent behavior, and staff would be endangered if they were exposed to violence or asked to practice beyond the scope of their license. No good can come of HB2246. It creates dangers, risks, and liabilities that will be harmful to all who provide care and all who receive care.

On behalf of those we serve and serve with, I ask you to OPPOSE HB2246. If you wish to contact me for more information, please call my office at the number listed above.

Sincerely,



Kris Erickson, CEO

Bethany+Village