



Kansas Advocates
for
Better Care

"Advocating for Quality Long-Term Care" since 1975

Kansas Advocates for Better Care Testimony

February 14, 2011

HB 2147 Increase of Home Plus Size Capacity

Position: Strongly Oppose

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Representative Bob Bethell, Chair
Aging & Long Term Care

Chairman Bethell and Members of the Committee:

Thank you for hearing testimony on this bill today. Kansas Advocates for Better Care has been advocating for quality care in all adult care homes for 35 years.

The issue before you in House Bill 2047 would increase the number of maximum beds in a Homes Plus licensed adult care home from eight (8) to twelve (12).

Kansas Advocates for Better Care is strongly in opposition to this increase for the following reasons:

- 1) Recently the number of residents in Home Plus was increased from 5 to 8. The rationale was related to a business model and staffing costs. With eight residents there could be more than two people in the house during high need times. At that time there was a proposal to raise Homes Plus capacity to 10 residents. Pat Maben, an RN that worked at KDHE, surveyed providers with a questionnaire asking their input about number of residents and the rationale for an increase. The consensus was that if there were more than 8 residents, staffing would have to be increased to ensure safe care, but there would not be enough income to support the increase.
- 2) Insufficient Staffing Requirements: Since a Home Plus can be operated by a medication aide and a nurse consultant, we would be very reluctant to increase the number of residents above eight. Oregon has a very successful program and only allows 5 residents. State of Washington allows only six residents. Minnesota was used as a model for Home Plus in Kansas and still limits the number of residents to five.
- 3) Operator Educational Requirements must increase along with acuity of population served and numbers served in one setting. The operator of a Home Plus is required only to have a high school diploma or GED equivalent, there is a short Operator Course that must be taken and a test that must be passed. The operator of a Home Plus is not required to have any background in health care even though the level of care required by residents may be significant as in the case of someone needing assistance with eating (choking risk), or with behaviors and conditions related to an Alzheimer's diagnosis (aggressive behavior). Operators are responsible for having enough staff "sufficient to meet resident needs" and yet the operator may have no health care knowledge, background or training from which to make such a determination.
- 4) The fewer regulations required for Home Plus are in part due to the originally envisioned small size of 5 residents with fewer health care needs relative to nursing facilities, assisted living facilities or other adult care licensure categories.
- 5) Nursing staffing is defined by resident care plans, not by any specific staffing requirement beyond "sufficient to meet resident needs". Raising the number of residents in a Home Plus should be done only if there is a concurrent required increase in daily nurse staffing, and in specific licensed nurse categories. A few years ago Kansas Advocates director spoke with an operator of several Homes' Plus in Kansas. The owner operator was an LPN. The facilities got several citations

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DATE: 2/17/11

ATTACHMENT # 6

Home Plus Facilities in Kansas with deficiencies cited for "Staff Treatment of Residents" (ANE)

3-19

Facility Name	City	Last Survey	Total Deficiencies	ANE Deficiencies
Bridge Haven Memory Care Residence, LLC	Lawrence	11/5/2009	1	1
VNA Care Cottage	Lawrence	11/12/2009	7	1
Galway Homes**	Leawood	11/1/2007	16	1
Deer Park Senior Group Home South	Meriden	4/27/2010	1	1
Tammy the Pro LLC	Topeka	12/15/2010	6	1
Arbor Home-Farmstead	Wichita	8/25/2010	6	2
Sunflower Meadows #2	Wichita	6/15/2010	4	1
Comfort Care Homes #6505	Wichita	6/24/2010	4	1

** Per Patty Brown at KDOA: Cited for Staff Treatment of Residents 4/23/2008 as a result of a complaint investigation; 11/1/2007 is the last resurvey data available; the facility was closed for remodeling through September 2010.

Total of 93 Home Plus in Kansas