## "Advocating for Quality Long-Term Care" since 1975

Kansas Advocates for Better Care

Kansas Advocates for Better Care Testimony
February 14, 2011
HB 2147 Increase of Home Plus Size Capacity
Position: Strongly Oppose

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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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- including some that dealt with insufficient staffing. In talking with the operator, her position was that the surveyors were "picking on" her; she didn't think that she was spread too thin to do right for her residents. And that was from someone with a health care background in nursing.
- 7) Each adult care home category is seeing an increase in the level of need for assistance in the population which they serve. Older Kansans and their families are choosing out-of-home placements, much later in the care process than in the previous three decades. The level of care Home Plus and other licensed adult care homes are providing will likely only increase in the future. If the number of residents served increases, the required levels of staffing must concurrently increase to ensure health and safety for persons residing in Home Plus.
- 13 Homes Plus that according to KDOA have special care units (Alzheimer's and Dementia).

Spedal Care Unit HP			
Badfily Name	Code	Physical Addicess	City.
Bridge Haven Memory Care Residence, LLC	HP	1126 Hilltop Dr.	Lawrence
Comfort Care Homes of KC #9833	HP	9833 Overbrook Ct.	Leawood
Comfort Care Homes of KC #7010	HP	7010 W. 69th Terr.	Overland Park
Comfort Care Homes, Inc. #641	HP	641 N. Broadmoor	Wichita
Comfort Care Homes, Inc. #509	HP	509 Tallyrand	Wichita
Sunflower Meadows #2	HP	5502 Polo	Wichita
Meadowlark Adult Care Home 1	HP	438 S. Socora	Wichita
Comfort Care Homes Inc. #441	HP	441 Morningside	Wichita
Sunflower Meadows #1	HP	649 N. Stratford	Wichita
Comfort Care Homes #6504	HP	6504 Oneida	Wichita
Comfort Care Homes, Inc. #1434	HP	1434 N. Armour	Wichita
Comfort Care Home, Inc. #147	HP	147 South Ridgewood	Wichita
Comfort Care Homes #6505	HP	6505 E. 10th	Wichita

For these reasons Kansas Advocates requests that you not approve and increase in size for Home Plus from 8 to 12 residents/licensed beds.

Thank you,

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

Facility Name	City	Last Survey	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	
Galway Homes**	Leawood	11/1/2007	16	∴ <b></b>
Deer Park Senior Group Home South	Meriden	4/27/2010		
Tammy the Pro LLC	Topeka	12/15/2010	6	
Arbor Home-Farmstead	Wichita	8/25/2010		. 2
Sunflower Meadows #2	Wichita	6/15/2010	4	
Comfort Care Homes #6505	Wichita	6/24/2010	4	

<sup>\*\*</sup> 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