



February 6, 2018

Chairman Hawkins and Members of House Health and Human Services Committee,

KABC appreciates the opportunity to testify in support of HB 2590 and the State Long-Term Care Ombuds program.

I am Mitzi McFatrigh, executive director of Kansas Advocates for Better Care (KABC). KABC is a non-profit organization, which advocates with and on behalf of older Kansans for better quality long-term care, at home and in facilities. KABC is beholden to no commercial interests, supported almost entirely by citizen contributions. KABC does not provide any form of direct care or receive any government funding. KABC is an established resource for older adults on long-term care issues. Those seeking our guidance and assistance are primarily elders and their families facing difficult, life-altering decisions.

Kansas established an independent State Long Term Care Ombuds program which serves older adults and adults with disabilities who live in the nursing, assisted, and residential health care facilities, as well as the Home Plus and Boarding Care Homes in our state. In 1998 Kansas implemented statutory changes to assure the independence of the Office in fulfilling its duty to investigate resident complaints and advocate for resolutions residents seek.

Recently and for the first time since the early 1990's, the U. S. Administration on Aging issued new rules which govern the State Long-Term Care Ombuds program. The revisions contained in HB 2590 will help Kansas' program come in to compliance with the requirements set forth in the new federal rule.

KABC supports the revisions which prohibit Ombudspersons from receiving gifts from those involved in investigations or from those receiving services from the Ombuds program. KABC supports the bills provisions which define and remediate conflicts of interest regarding appointees to the Office. KABC also supports the requirements which further professionalize the Office; and those which confirm that Ombudspersons are able with permission of the resident or their representative, to access resident records needed to further the investigation of a resident complaint.

The State Long Term Care Ombuds Office and program, play an important roll in advocating for individual residents, as well as in defining areas of deficit or for improvement and making recommendations related to State long-term care policies and services, elder abuse, neglect, and exploitation, and the rights of residents in licensed adult care homes.

Mitzi E. McFatrigh, on behalf of volunteers, members and older Kansans

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