

Date: January 22, 2020

To: The Honorable Susan Concannon, Chair  
House Children and Seniors Committee

FROM: Ernest Kutzley, Advocacy Director, AARP Kansas

RE: HB 2229, Adult care home Video Monitoring –Admission into Evidence

Good afternoon Madam Chair and committee members. My name is Ernest Kutzley and I am the Advocacy Director for AARP Kansas. AARP is a nonprofit, nonpartisan organization with more than 300,000 members living in Kansas. AARP is dedicated to enhancing the quality of life for all as we age. Thank you for this opportunity to submit written testimony in support of House Bill 2229.

By 2030, the number of older adults in the United States is likely to double, reaching 72 million, or nearly one out of every five people. An estimated 10 to 12 million people need long-term services and supports (LTSS) today, a number that will increase as the baby boom generation ages).

**Caregiving** –

Since 2011, the AARP Public Policy Institute, with generous funding and support from The Commonwealth Fund and The SCAN Foundation, has published the **Long-Term Services and Supports State Scorecard (LTSS)**, an interactive tool that assesses system performance in states across the nation. In doing so, the Scorecard can spark policy change, while providing tools and resources so that states and other stakeholders can deliver a higher level of performance.

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**The 2017 Long-Term Care Services and Support Scorecard - Picking Up the Pace of Change** ranked Kansas number 45 in Effective Transitions, which included 47<sup>th</sup> in percent of nursing home residents with low care needs and 27<sup>th</sup> for the percent of new nursing home stays lasting 100 days or more. Kansas also ranked 21<sup>st</sup> in the percent of high risk nursing home residents with pressure sores.

Regulators should address issues that can affect the quality of life and care for families and their loved ones in nursing facilities and supportive housing.

Video technology can facilitate frequent communication between residents in nursing facilities or supportive housing and their loved ones. It can also assist family members in monitoring the overall quality of care that their loved one receives on a day-to-day basis and provide distant family members or friends with an opportunity to have virtual visitations.

With video technology, caregivers working in the facilities can better monitor the people they are assigned to care for. Facilities that operate with due care and consideration for their residents will have documentation that they are providing quality care.

**Private right of action**—a private right of action exists when a statute authorizes individuals aggrieved under the law to bring suit. With a private right of action, LTSS consumers can sue a provider for breach of statutory or regulatory rights, duties, or responsibilities. The primary purposes of the private right of action are to obtain compensation for injuries and ensure performance of duties. A secondary purpose is to supplement traditional government regulatory enforcement with private oversight and enforcement. Some state legislatures have established a private right of action both for nursing facility and assisted living residents.

AARP Kansas supports the use of video technology for the purpose of surveillance, documentation of care, and virtual visitation.

Thank you and members of the committee for the opportunity to testify. We respectfully request that this committee support HB 2229.

Thank you.