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Date: March 7, 2023
To: The Honorable Brenda Landwehr, Chair
House Health and Human Services Committee
FROM: Judy Bellome, AARP Kansas Volunteer State President
RE: SB 453, Adult care home certified aides.

Madam Chair and members of the committee, my name is Judy Bellome and I am the Volunteer State President for AARP Kansas. AARP is a nonprofit, nonpartisan organization with a more than 285,000 members living in Kansas. We are dedicated to enhancing the quality of life for all as we age. AARP is fighting to make sure nursing home residents receive safe, high-quality care. It's time to hold nursing homes and other long-term care facilities accountable for providing safe environments and high-quality care for residents. Thank you for this opportunity to present our written testimony in opposition to SB 453.

I am a retired registered nurse with over 45 years of practice in hospitals and long-term care facilities. Until 2013, I served as the Chief Executive Officer of a visiting nurses home care and hospice.

As a Registered Nurse, I also taught and supervised Certified Nurse Aides in long term care settings. Nursing home patients are the most frail, most sick and most in need of the best care. More training and support is necessary for Certified Nurse Aides. Registered Nurses can access and update care plans as patients' conditions change or decline. Those functions are not in the scope of practice for Licensed Practical Nurses. Think of each nursing home patient as your grandmother or grandfather. We must do better with training, supervisory support and increased pay for the hard work and long hours

SB 453 puts the safety and well-being of nursing home and other long-term care facility residents at risk.

- AARP believes that Kansas should increase the required minimum training for certified nursing assistants (CNAs) to at least 100 hours. Direct care staff should continue to be required to complete a competency-based assessment in practice

(Over)

before providing care, in addition to passing a state exam that includes a written or oral component. Requirements for supervised hands-on training should be increased beyond the federal 16 hours that are currently required. AARP Kansas opposes SB 453 and its efforts to lessen existing training standards because they will have a direct, negative impact on the quality of care that residents receive. On its face, SB 453 appears to change very little in the existing Kansas law at K.S.A. 39-936. In the interpretation of these minor-looking changes, the impact is potentially vast and detrimental to nursing home residents.

- SB 453 changes the scope of the existing law. Section K.S.A. 39-936 presently applies to uncertified employees of adult care homes. SB 453 would change all existing references to “uncertified employee” so that they refer to “certified aide” instead. SB 453 does not, however, define certified aides. In addition, ambiguity in drafting is dangerous. Without a narrow definition of certified aides (that clearly articulates that the term does not include certified nursing aides or any other licensed nurse), SB 453 could have the devastating consequence of markedly decreasing the number of training hours required for certified nursing aides under [Kansas Administrative Regulations Section 26-50-20](#) of Kansas law by 50 hours.
- AARP opposes the reduction from 90 to 40 hours of training for certified nursing aides because 40 hours of training is less than the minimum federal requirement of at least 75 hours of training.
- If SB 453 is interpreted as applying to certified nursing aides, the bill has the impact of lowering the qualifications of who provides training to a certified nursing aide from the current requirement that it be an RN with a certain amount of minimum experience. These requirements are outlined in [Kansas Administrative Regulations Section 26-50-22](#).
- SB 453 would allow a reduced amount of training hours to be provided by an LPN with no prerequisite experience or expertise.

Therefore, we ask you not to support SB 453, which would lessen existing training requirements, pose a risk to nursing home residents and have a direct, negative impact on the quality of care that residents receive.

Respectfully,
Judy Bellome, RN, BSNEd, MSEd