

Senate Public Health and Welfare Committee
Opponent Testimony for SB 453
By Camille Russell, Kansas State Long-Term Care Ombudsman
Office of Kansas Long-Term Care Ombudsman

Chairman Hilderbrand and Members of the Committee,

I am Camille K. Russell, the Kansas State Long Term Care Ombudsman. I thank you for allowing for this written testimony in opposition to SB453. Our agency advocates for the rights of individuals in long-term care facilities throughout Kansas. This includes nursing facilities, long-term care units of hospitals, assisted living facilities, home plus facilities, residential health care facilities, and boarding care facilities.

Reducing the quantity or quality of training to any nursing home staff puts both residents and staff at risk. Less training leaves workers less equipped with the skills and knowledge needed to provide quality care. The needs of residents have become more complex over the decades, and more than half of residents are living with dementia.

Poor job preparation appears to be a serious issue among temporary aid and CNA staff in nursing homes. More and more, the Kansas Long Term Care Ombudsman Program receives reports directly from staff who say they feel unprepared for what is expected of them in nursing facilities because of their initial training and the unsupportive environment they find themselves in. They report they do not have the backing of other experienced staff for assistance. They express fear for themselves and fear for residents. We receive reports from staff who use these words to describe feeling "desperate," "afraid," and "fed up" with the treatment or lack of care towards residents.

We have received multiple reports of individuals being left in a wheelchair for hours upon arrival from a hospital because no one knows how to transfer them from the chair to a bed. We have received multiple reports of wound dressings not being changed for weeks.

We have reports of finding residents with food from the meal earlier in the day pushed in their mouth but unable to swallow, while others, not having been assisted being fed at all, trays of untouched food left out of reach. We have reports of teeth not being brushed, dentures not being cleaned for long periods, of residents not being repositioned or moved improperly, resulting in fractured bones and skin tears. There have been reports of staff taking pictures of residents and openly making fun of residents with dementia, posting embarrassing videos of residents on social media.

Ombudsmen frequently meet staff in the facilities with no knowledge of resident rights; something staff are required to support. Ombudsmen find staff with no knowledge of the home's policy or requirements to report abuse, neglect, or exploitation. We frequently see staff not wearing required identification, so residents know who they are and their role in their care.

More training is linked to better resident care. Evidence supports an association between higher training hours and improved resident care outcomes. CNAs must know how to report changes in residents' health status, properly turn immobile residents; safely assist those with swallowing difficulties to eat; minimize distress and related behaviors among those with dementia, and so much more. It is an essential and valuable job, and it is critical it is preserved as such. When staff are not trained to fulfill these responsibilities with confidence and expertise, quality of care and resident emotional well-being is compromised.

Reports from residents and families to long-term care ombudsmen speak to the inadequate care provided to residents during the pandemic. While inadequate staffing levels are a key factor, the concerns around staff competency due to insufficient training and oversight are of equal alarm.

Workers with less training are more likely to be injured and cause injury to residents.

Reducing the number of training hours or the level of trainer's expertise is a step in the wrong direction and would result in staff being even less prepared for their important work.

To ensure quality care for nursing home residents, the Kansas Long Term Care Ombudsman Program must oppose this legislation and any legislation that would weaken training standards ongoing.

Respectfully Submitted
Camille Russell
Kansas State Long-Term Care Ombudsman