



Testimony of 1199SEIU United Healthcare Workers East

SB 795 - Oversight Committee on Quality Care in Nursing Homes and Assisted Living Facilities – Membership and Cochairs

Position: UNFAVORABLE

Chair Kelley and Vice Chair Feldman and members of the Senate Finance Committee,

My name is Claudia Balog and I am a Lead Researcher with 1199SEIU- the largest healthcare union in the nation, where we represent 10,000 healthcare workers in Maryland and DC. We are respectfully submitting testimony in opposition to SB 795.

Our members who include Certified and Geriatric Nursing Assistants, LPNs, Certified Medication Technicians, Dietary Aides and Housekeepers, care for the most at-risk residents in Maryland's skilled nursing and assisted living facilities. The Oversight Committee on Quality Care in Nursing Homes and Assisted Living Facilities is an important tool in giving consumers and advocates a voice in the oversight of these Long-Term Care settings. The need for industry oversight has only been magnified by the current COVID-19 pandemic. Our members and the residents who depend upon us need an Oversight Committee that is dedicated to advancing difficult conversations about improving quality standards, care reform and policy development. In the wake of thousands of deaths and illnesses among residents and staff, we share concerns with others that this Committee has not lived up to its full potential.

We oppose this bill, however, because we do not believe that changes to the structure of the Oversight Committee are what is necessary for it to achieve its full potential. We are concerned about the provision to add another industry seat to the Committee. We also believe that the Secretary of Aging is an effective, ideally neutral chair of this committee; their position in Cabinet can help elevate the need to improve this industry. Finally, we do not believe a system of rotating chairs, which could potentially have industry representatives providing oversight on themselves, makes much sense, or provides an effective solution toward a more effective oversight committee.

We do not believe that the Oversight Committee has advanced the kind of robust dialogue necessary to develop a roadmap for improved quality in our state's nursing homes and assisted living facilities. However, the structure of the committee – which we believe is a crucial component to ensuring industry oversight - is not the problem.

1199SEIU participated on a Subcommittee that met throughout the summer to develop recommendations to address many of the structural issues in our Long-Term Care delivery system. We greatly appreciated the active participation of Senator Eckardt and Senator Beidle in Subcommittee meetings. In addition to discussing immediate COVID-related concerns such as PPE and testing, our Subcommittee tackled workforce recruitment and retention challenges that have led to short staffing in our nursing homes, quality of life concerns in these settings (that impact both residents and caregivers), transparency of data and provider reimbursement challenges.

It is our view that the recommendations we developed were not accompanied with sufficient briefings for all of Maryland's elected leaders. Given the press spotlight on our nursing homes and assisted living facilities due to the pandemic, this was a missed opportunity. In states such as New Jersey and Massachusetts, regulatory oversight bodies have convened to enact meaningful changes to improve the quality of care for nursing home and assisted living facility residents during these difficult times.

Instead of changing the composition and structure of the Oversight Committee, we could seek ways to bolster the efforts of its members. For example, we could mandate that the Oversight Committee must convene a meeting with all of its members to discuss and make recommendations as a body on legislation impacting nursing homes and assisted living facilities, prior to the opening of our legislative session.

We believe that long-term, the current structure can accomplish the essential goals of this group. We hope that one day we can participate in conversations about how to improve the Committee without changes to its governance structure. While we respectfully oppose this legislation, we want to thank Senator Eckardt for raising attention to such an important issue. Thank you.