

Testimony IN FAVOR of SB 509

Presented to the Finance Committee of the Maryland Senate.

March 10, 2023

From Jane Henderson
(former executive director of Communities United)

Chairwoman Griffith, Vice Chair Klausmeier and members of the Committee,

I am here today to honor the memory of Reginald Smith, who on August 1, 2022, at the age of just 59, died from a bleed out from his central line while a long-term patient at the ProMedica (formerly ManorCare) Rossville at 6600 Ridge Rd in Baltimore County.

In his memory, I ask for you to pass SB 509.

I had been visiting Reggie, as his fellow members of Communities United knew him, in ManorCare/Promedic facilities for more than four years. I was his “family” contact and so I was who the facility called on August 1, first to tell me they had called 911 and then, maybe 5 minutes late, to tell me he had died. The nurse was clear and honest about exactly what had happened: while hooked up to an IV, blood suddenly started flowing out of him when his central line had for some reason reversed flow. He bled out in just a few minutes as a central line goes directly to the heart. I was told that the temporary nurse who had been administering the IV had been immediately dismissed and reported to the state board of nursing.

Wanting to make sure I had it exactly right, I called back the next day, spoke to the same nurse who told me the same story. I also spoke with other patients that Reggie had befriended who were present in the dining hall when it happened. All confirmed the same story. The friend who had sat next to him chatting told me that she had never in her life seen so much blood. Staff and patients alike were traumatized.

So imagine my shock when I saw Reggie’s death certificate two weeks later listing his cause of death as hypertension, diabetes, and renal failure – the medical conditions that had put him in the nursing home **NOT the immediate cause of his death**. Even the death date is wrong, almost a week after he died.

In the days following Reggie's death, I learned that any death by bleeding out is required to be reported to the state medical examiner, who determines if further investigation is in order. I spoke with that office almost every other day in that first week. Of course, they would never receive any notice of Reggie's death. ProMedica seemed to easily cover it up and any questions about the quality of care at their facility that it might have raised. Once the death certificate was released, the staff at Promedica Rossville who had once been so honest and comforting and even offered to pay for his cremation (which would be carried out before his sister saw or received his death certificate), all stopped answering my calls.

I continue to be in touch with a few of Reggie's friends still in the Rossville facility. While visiting with three women last month, they shared with me their hopes for rehabilitative care that can send them back home. One had requested a transfer because she is so dissatisfied. They say their care is constantly sacrificed to staff shortages, which mean more temporary nurses and that no one gets all the help that they need. And the facility is terribly crowded. On the long-term care floor, three beds are crammed into a room, leaving no room for guests or to maneuver their wheelchairs. And everyone, everyone will tell you the food is terrible: few if any fresh fruit or vegetables, lots of white flour and empty carbohydrates (even on diabetics' plates!) and generally bad tasting. (So easy to cut corners in this area to increase the bottomline.)

I am here today to demand accountability from ProMedica Rossville and all nursing homes operators with whom we trust our most vulnerable people. I hold the management of the nursing home accountable for the death of my friend Reggie.

I know something about central lines having had a son go through a bone marrow transplant over a decade ago. I was constantly told by his nurses what a huge risk it posed to infection and exactly what happened to Reggie. The supervising medical staff at the nursing home had to know it was a huge liability. One of Reggie's nurses at another ProMedica facility recently told me that she always avoided central lines and left them to dialysis and other appropriately trained nurses. Reggie's central line was put in so he could begin emergency dialysis in December 2021 and days later he was transferred to Rossville for their in-patient dialysis services. Shortly after, they had inserted the *much safer* arm port, which had been used for dialysis for months. His central line should have been *long gone* by April or May. But its removal required an appointment and trip to the hospital. As a Medicare patient, it often took months for him to get appointments and some were canceled when transportation was not available or fell through. Indeed, he fully lost his eyesight just weeks into his initial admission to a ProMedica facility, but by the time an appointment was arranged, the doctor told him it was too late to treat and his sight loss was permanent.

The appointment that Reggie's caregivers finally made for removal of his central line would be too late to save him. The morning of August 1, just a couple hours before he died, Reggie had

called me and shared that he was scheduled to go to the hospital in a few days to have it removed. He also told me there were concerns about an infection and that he would be getting antibiotics.

I am very clear that ProMedica's corporate management, driven by more concern about bottom lines than people, is what killed my friend Reggie. Our for-profit healthcare system is the real killer. ***At minimum, SB 509 will scrutinize who we allow to invest in nursing homes in Maryland, to keep out private equity, the profiteers or whatever you want to call those hoping to turn a profit off of human suffering.*** The worst actors do have bad track records in other states if we at least bother to look. I am only just beginning to learn why ManorCare spun off and rebranded some of their facilities as ProMedica, which staff have told me is "non-profit." I have seen only a continued deterioration in care at two of their facilities despite this change.

Don't let your loved one be the next one to be neglected or even killed. Please pass SB 509.

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