

To: Chair Pena-Melnyk, Vice Chair Cullison, and members of the Health and Government Operation Committee

Bill: HB #0429-Health Facilities – Delegation of Inspection Authority-Nursing Homes

Name: Dixie P. Butler

Position: Favorable

As a long-term resident of Maryland District 19, I am writing in support of HB #0429. This Bill ensures that Montgomery County has the delegated authority and receives the financial resources to conduct full annual surveys of each licensed nursing home, as well as to investigate and follow up on nursing home complaints in a timely manner.

Do you know how to identify a quality nursing home for a loved one? An annual survey of nursing homes covering health and safety, and complaint investigations, are to be conducted by the Office of Health Care Quality (OHCQ). In the past year, I have learned that these required activities have been delayed for months and even years. Previously, these functions were delegated to Montgomery County by a Memorandum of Understanding (MOU), which has since expired. It is time to place these critically important responsibilities back in County hands.

It is with a sense of urgency that I write in support of this legislation. I am a concerned older citizen, a licensed social worker, and volunteer Long-term Care (LTC) Ombudsman. The residents of nursing homes trust that they will be treated with care, dignity, and respect. In many instances, their trust is rewarded. Yet, the timely, consistent, and thorough surveys of nursing home conditions, as required by law and carried out by trained staff, represent the key guard rails and safeguards that are required to sustain that trust.

What can happen when these actions are delayed? Residents and families are left to challenge facility conditions--inadequate staffing, cutting back on food quality, not following posted meal plans, lack of air conditioning in summer, safety hazards, neglect, and worse. As someone once said to me, "that's really not a fair fight."

Just recently, I visited a large LTC facility with many memory care residents. There were residents sharing a meal with family members; others sitting comfortably in chairs watching television; still others in bed with various medical devices available and staff gently assisting them. It is a joy to see when residents are living in a safe and caring environment. It is also the belief and hope of family members that they have chosen wisely. This is not always the case. Timely, thorough surveys and follow up on complaints are the essential proactive, preventive actions needed, cannot be delayed, and are our responsibility. Health and lives are at risk. Such actions can anticipate and prevent fires, falls, aspiration and choking, theft, physical abuse, neglect, and more in nursing homes.

The passage of HB #0429 will help restore support for Montgomery County nursing home residents, the trust of families, and the standard of care. I respectfully urge this committee to return a favorable report on HB #0429.