



Office of the State Long-Term Care  
Ombudsman  
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Barbara J. Hickert, State Ombudsman

Laura Kelly, Governor

## TESTIMONY - Senate Bill 409

Barbara Hickert  
Kansas State Long-Term Care Ombudsman  
February 24, 2020

Chairwoman McGinn and Members of the Committee,

My name is Barbara Hickert, I am the Kansas State Long-Term Care Ombudsman. Our agency advocates for the rights of individuals residing in adult care homes throughout Kansas by investigating complaints brought to us by residents or others on behalf of residents. This includes residents of nursing facilities, as well as long-term care units of hospitals, assisted living facilities, home plus facilities, residential health care facilities, boarding care facilities, and adult daycare centers.

The Office of the Long-Term Care Ombudsman is neutral on the passage of SB 409. We are not neutral on the need for quality improvement in our state's long-term care facilities. Therefore, we ask as you consider this bill that you do not eliminate the sunset, but rather extend the sunset to July 1, 2025. This is the recommendation of the Quality Care Improvement Panel authorized under this law. The panel voted at their meeting on December 17, 2019 to recommend to the legislature that "quality incentive program be continued for five years, thereby changing the sunset date to July 1, 2025." This was done to ensure that the panel meets and it gives the legislature an opportunity to evaluate if the moneys generated by this assessment are being used as intended to ensure quality outcomes for residents.

So, what about quality outcomes? There are lots of ways to think about or try to measure quality. Let's look at one – staffing. One of the most important issues impacting the quality of care is staffing. Having a sufficient number of well-training, consistent staff is one of, if not the most important key to providing quality care. When there are insufficient staff numbers, or staff that do not know the people they serve due to turnover, quality of care and quality of life suffer for the long-term care consumer. Even the best, most well-intended caregivers cannot do their job without enough staff to care for residents. In 2016, the legislature increased the amount of the quality care assessment from \$1,950 to \$4,908 per licensed bed in skilled nursing facilities. You should know, however, since 2016, our agency has seen a 134% increase in the four complaints directly related to staffing: staff shortages, staff unresponsive, symptoms unattended, and failure to respond to call lights. Therefore as you debate this bill, we respectfully request that your focus be on ensuring that this funding is being used to maintain or improve the quantity and quality of skilled nursing care for Kansans as directed in the statutes.

Respectfully,

Barbara J. Hickert