

January 18, 2018

Senate Public Health Committee
The Honorable Vicki Schmidt, Chair

Reference: House Bill 2232 - Electronic Monitoring in Adult Care Homes

Good morning Chairman Schmidt and members of the Senate Public Health Committee. My name is Ernest Kutzley and I am the Advocacy Director for AARP Kansas. AARP is a nonprofit, nonpartisan organization with a more than 315,000 members living in Kansas. AARP is dedicated to enhancing the quality of life for all as we age. Thank you for this opportunity to submit testimony in support of House Bill 2232 as amended by the House Committee.

By 2030, the number of older adults in the United States is likely to double, reaching 72 million, or nearly one out of every five people. An estimated 10 to 12 million people need long-term services and supports (LTSS) today, a number that will increase as the baby boom generation age.

Regulators should address issues that can affect families and their loved ones quality of life and care in nursing facilities and supportive housing.

Growing numbers of facilities are embracing culture change as a means to becoming more life-enhancing places in which to work and live. Culture change can have many meanings, but it usually includes three major elements:

- Changes in the physical characteristics of care facilities to make them more residential in scale and provide more private spaces for residents;
- Changes in the staffing model to give more training, autonomy, and career advancement opportunities to direct-care staff; and
- Changes in the service delivery model to give care recipients and their families/caregivers more control over the types and timing of the services they receive.

Video technology can assist family members in monitoring the overall quality of care that their loved one receives on a day-to-day basis and provide distant family members or friends with an opportunity to have virtual visitations.

Therefore, states should enact laws that clearly establish the right of nursing facility and supportive housing residents—or their legally recognized decision makers—to use video technology. Family members and caregivers could place monitoring equipment (at their own expense) in their loved one's room at a nursing or assisted living facility.

Video technology should be allowed only when protections are in place to ensure that it does not infringe on roommates' right to privacy. For residents who are unable to provide consent, care must be taken to balance the benefits of video technology with the need to protect the resident's right to privacy.

Facilities should provide notice that electronic monitoring is permitted (not mandatory). They should allow the use of monitoring equipment and admit any resident who chooses to use such technology. Penalties should be established for tampering with equipment. With video technology, caregivers working in the facilities can better monitor the people they are assigned to care for. Facilities that operate with due care and consideration for their residents will have documentation that they are providing quality care.

AARP Kansas supports the use of video technology for the purpose of surveillance, documentation of care, and virtual visitation, with protections in place to ensure that it does not infringe on roommates' right to privacy.

Thank you and members of the committee for the opportunity to submit this testimony. We respectfully request that this committee support HB 2232.

Thank you.