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House Health and Human Services Committee

Chairman Carpenter

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Proponent SB 88

Good afternoon, Mr. Chairman and Committee Members. I am Linda MowBray, President/CEO of the Kansas Health Care Association and Kansas Center for Assisted Living. We are a trade Association representing for-profit and not-for-profit nursing home, assisted living, residential health care, home plus, and nursing facilities for mental health communities across the state. We are the oldest nursing home trade association in Kansas and have over 260 member communities. Our members care for nearly 20,000 elders across the state 24 hours a day with an employee team of over 20,000 workers

LTC Ombudsman Training Requirements

The bill mandates that the Long-Term Care (LTC) Ombudsman incorporate specialized dementia care training into the existing training program. This training is provided free of charge by the Alzheimer's Association.

[Note: Current law requires the LTC Ombudsman to develop and deliver training to regional long-term care ombudsmen, employees of the Office of the Long-Term Care Ombudsman who have completed ombudsman training and are officially designated representatives, as well as volunteer ombudsmen (collectively referred to as "ombudsmen").]

Training Topics

The training program for ombudsmen must cover essential aspects of dementia care, including but not limited to:

- Identifying the warning signs and symptoms of dementia;
- Understanding and applying person-centered dementia care approaches;
- Effectively communicating with individuals living with dementia;
- Recognizing behavioral symptoms and utilizing alternatives to physical and chemical restraints;
- Addressing resident safety concerns, such as wandering;

- Guiding care partners and families toward accurate and up-to-date resources, support, and information on dementia; and
- Establishing protocols to connect individuals with local dementia care resources and trained professionals to facilitate cross-referrals and reporting of abuse incidents.

Proponent Testimony for SB88

We support requiring the state Long-Term Care Ombudsman staff to receive training in memory care. The Long-Term Care Ombudsman's office plays a crucial role in assisting residents of nursing homes, assisted living facilities, and other long-term care settings by:

- Educating residents and protecting their rights;
- Receiving and investigating complaints regarding violations of those rights;
- Facilitating discussions related to facility transfers, discharges, and care planning; and
- Reporting concerns without fear of retaliation.

Additionally, the office is supposed to act as a liaison between providers, family and residents by:

- Being a neutral party to address resident, family or facility concerns, improving quality care and positive outcomes;
- Offering guidance on residents' rights while balancing facility responsibility; and
- Mediating disputes between residents, families, and facilities.

Many providers have experienced interactions with the LTC Ombudsman's office that resulted in guidance that did not fully consider the reality of a resident's condition, the legal implications when a Durable Power of Attorney (DPOA) is involved in decision-making, and the balance between residents' rights and regulatory requirements. We believe that equipping ombudsmen with training on recognizing and effectively engaging with residents diagnosed with memory impairments will enhance these interactions, ultimately resulting in better outcomes for residents, their families, and care providers. The Senate final action approved the bill 40 -0.

We respectfully urge the committee to approve SB88. I am available to answer questions at the appropriate time.