

**Vicki L. Gieber**  
2845 Fair Road  
Abilene, KS 67410  
Email: [vicki.gieber@gmail.com](mailto:vicki.gieber@gmail.com)

Re: SB 453 Testimony

March 8, 2022

Chairwoman Landwehr and members of the House Committee on Health and Human Services, thank you for the opportunity to testify today in opposition to SB 453. I am Vicki Gieber and my mother is a resident of a skilled care long term nursing home in Abilene, KS.

My mother has dementia and is prone to fractures due to osteoporosis. She entered the nursing home June of 2021, and since that time has experienced numerous fractures, including, a fractured right iliac bone, right inferior ramus (occurring from a fall 7 hours after entering the nursing home). Other incidents resulted in fractured ribs, and three compression fractures in her vertebra.

Proper handling of mom is very important. As a family, my brother's and I have cameras in mom's room, and we have viewed situations of the staff improperly handling mom in ways that could cause additional injuries. This concerned us enough that we visited with upper management and even placed a sign in mom's room emphasizing that mom is vulnerable to fractures and to take extra care when assisting her.

A very disturbing incident occurred on January 3<sup>rd</sup>, 2022. I visited the nursing home and informed the CNA who was on duty that mom had two compression fractures in her spine and that I would be taking her for a MRI the next day. I expressed the importance of handling her carefully and informed them of her vulnerability to fractures. Later that evening, when reviewing the video from the camera, I witnessed my mom being intentionally mistreated when she attempted to stand up from her wheelchair and the CNA, who was standing behind the chair, grabbed under her armpits and jerked her back into the chair. And just moments later she was and crying out in pain and fear as the CNA pops mom's wheelchair back into a wheelie to push her out of the room. These incidents occurred just thirty minutes after I left the nursing home and by the same CNA that I had informed about mom's fractures. We were informed that the nursing home did report the incident to KDADS. We have discovered this same person has been dismissed from other prior employment due to mistreatment of patients AND is now currently employed at another nursing home in our community, who has knowledge of this incident.

My concerns with SB 453, as written include:

1. Instead of improving training of staff in adult care facilities, it is creating a sub-category of "certified aids", who would perform the same hands-on assistance and care as provided by a "certified nurse assistant (CNA)", but with reduced certification training of 40 hours vs 90 hours.
  - a. What would be required of a "certified aid" vs a "certified nurse assistant". Scope of work is not identified. Is it the same as a CNA? What is the difference between them?
2. Utilizing LPN's for classroom and clinical instruction is also a concern. LPN's complete half the training and clinical instruction of that required for RNs. As for the availability of RNs to instruct, the Kansas Hospital Association, reported that in 2019, there were 60,141 licensed RNs vs 9,110 licenses LPNs.
3. Overall, it appears SB 453 is decreasing the training and education of staff, that would be providing direct care to our frail and vulnerable elders in adult care facilities, the very people who are relying on policies and procedures to assure their safety and well-being. Caring for older adults is difficult and hard work, and I have much respect for CNA's and the care they provide. They are the unsung heroes in long term care homes. We should be looking at ways to improve training to assure better care and safety of our frail and older adults and for the CNA's own safety when lifting and moving those they care for, not cutting corners.

Thank you for the opportunity to testimony on SB 453. I will be available for questions at the appropriate time.

Sincerely,  
Vicki L. Gieber