



To: House Committee on Judiciary
From: Jeremy Armstrong, CEO
Date: March 16, 2021
Re: Liability Protection Related to COVID-19

Mitchell County Hospital Health Systems (MCHHS) appreciates the opportunity to share some comments about how exempting nursing homes from full liability protection related to COVID-19 has impacted our operation and those we serve.

MCHHS is a comprehensive health care system in Beloit, Kansas that includes a 40 bed long term care unit. There have been many challenges faced by our nursing home since it was established in January, 1971. However, nothing compares to the challenges we have faced, and continue to face, during the COVID-19 pandemic.

Challenges with this pandemic include, inadequate access to PPE, staffing shortages due to COVID-19 exposures, and required policy and procedure changes to keep our residents safe. Despite the significance of those just listed, the biggest challenge for our nursing home has been the restrictions placed on our residents social interaction and visitation. Our residents cherish their visits from family and friends and having to restrict that access has been heartbreaking. Even more heartbreaking is the mental and physical effects of these restrictions. We conduct weekly meetings to review and update the health and wellbeing of each of our residents. There has been a quantifiable decline in many of our residents' mental and physical wellbeing, which we believe is due to these restrictions.

Nursing homes being exempted from full liability protections related to COVID-19 has played a significant role in delaying family visitations. One of the unintended consequences of this liability exemption is the negative impact it has on our willingness to reopen our facility to visitors. There are significant risks associated with reopening our doors to the public. Despite our efforts to screen everyone, there are many documented cases of visitors being the source of transmission for COVID-19 within nursing homes across the country. When we have meetings about whether to relax our visitation policy those risks and the potential liability is forefront in our discussion. I can say unequivocally that Kansas' liability exemption has been the deciding factor to shut down our visitation earlier and delay our reopening on more than one occasion.

MCHHS would appreciate your attention and support for any bills that would extend the same full liability protections related to COVID-19 that are currently available for ALL other health care entities in the State of Kansas.

