

SB 191

I stand in support of this long overdue Bill. My husband Charlie was illegally evicted from an Assisted Living facility, and that move cost him his life. He died 9 days later. Charlie was a hard-working farmer/rancher who developed Alzheimer's and eventually I needed help with his care. I found a new facility with a special unit just for Alzheimer's residents. They guaranteed full care, from early-stage Alzheimer's to end of life, so we would never have to move again. That was critical, because Alzheimer's patients suffer from Transfer Trauma if they are moved, and it can be fatal, as it was for Charlie. That's why discharge regulations require a legitimate cause for discharge, a doctor's authorization, and a 30-day written notice. But that's not what happened.

This new facility was filling up with residents and they are required to have sufficient staff, so the director asked the owners for more nurses. The owners said "No." They turned him down. Instead of hiring more staff, they fired nurses to cut the payroll, and got rid of 6 residents who needed nursing care, Charlie and 5 other Alzheimer's residents. They falsified the records of these 6 gentlemen to misrepresent their level of care and behavior and blamed them for their discharge. There was no cause, no doctors were notified, and no advance notice. This all happened in 1 day. They broke contracts, violated Regulations, put human life at risk to increase profits, and got by with it. The facility was never held accountable. KDADS investigated but did nothing. Assisted Living owners know that Regulations are not enforced; they also know that there is not one thing the resident can do about it. Nothing. Residents have no recourse.

Nursing Home residents can appeal under federal law, but the majority of care homes in Kansas are Assisted Living-type homes, under state jurisdiction only, and the state does not allow Assisted Living residents to appeal illegal eviction. They have no legal rights.

So unwarranted eviction continues unabated, year after year. It's the primary complaint received by the Long-Term Care Ombudsman, and the Attorney General's office says nothing will change until we have better laws.

SB 191 gives Assisted Living residents the legal rights, the legal protection they have never had. I urge your support of this Bill.

Rachel Imthurn  
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