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House Committee on Child & Seniors
Chairwoman Davis and Committee Members
March 20, 2018

HB 2704 - Neutral

Kansas Health Care Association and Kansas Center for Assisted Living is 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 each and every day.

We appreciate the opportunities to come before you today to bring neutral testimony regarding HB 2704 requiring written informed consent before an antipsychotic medication is administered to a resident in an adult care home.

Kansas Health Care Association, a federation member of the American Health Care Association has been shining a light on the need to recognize, re-evaluate and reduce the use of antipsychotic medications since 2011. Our rates have dropped, significantly – from 26.6 in the 4th Quarter of 2011 to 16.6 currently. Do we have room to improve? Absolutely, but we are making progress.

Resident's Rights

CMS dictates that nursing centers must abide by Resident's Rights.

The right to be informed about your medical condition, medications, and to see your own doctor. You also have the right to refuse medications and treatments.

Because this is already in federal law, it seems redundant to add it to state law. If the issue is enforcement, then let's address that issue.

Solutions

We believe that the only way to solve this problem is to bring all parties to the table including nursing communities, families, residents, medical directors, primary care doctors, pharmacist, hospitals, hospitalist, advocates and regulators.

We agree with the conferee from Tuesday, February 13, 2018 who spoke of the need for changing the culture. I do want to say thank you to the authors of this bill for acknowledging that nursing centers are not the ones prescribing antipsychotic medications. This bill aims at doing the right thing for Kansas elders and I do applaud the efforts to make a positive change. We feel, however, changing a culture doesn't come from legislation, but from communication and understanding. We must sit down and talk.

Thank you for allowing this testimony.

Linda MowBray – KHCA/KCAL Vice President

Resident rights

Nursing home residents have certain rights and protections under the law. The nursing home must list and give all new residents a copy of these rights.

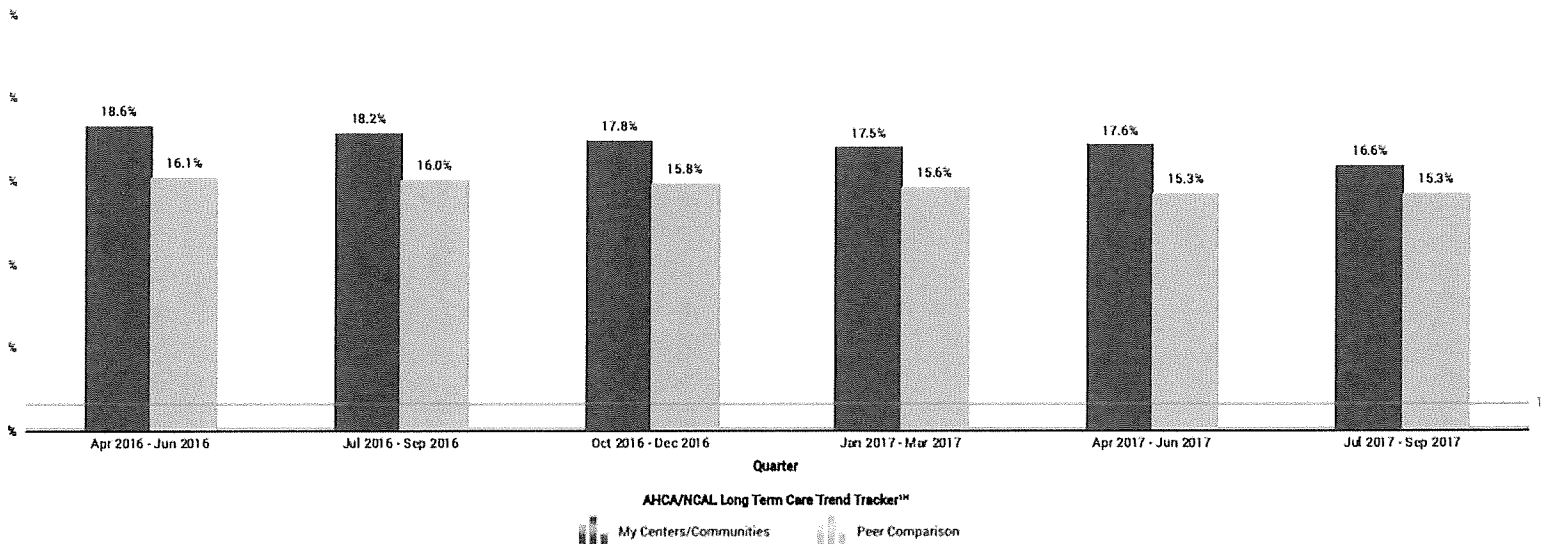
These resident rights include, but aren't limited to:

- The right to be treated with dignity and respect.
- The right to be informed in writing about services and fees before you enter the nursing home.
- The right to manage your own money or to choose someone else you trust to do this for you.
- The right to privacy, and to keep and use your personal belongings and property as long as it doesn't interfere with the rights, health, or safety of others.
- The right to be informed about your medical condition, medications, and to see your own doctor. You also have the right to refuse medications and treatments.
- The right to have a choice over your schedule (for example, when you get up and go to sleep), your activities and other preferences that are important to you.
- The right to an environment more like a home that maximizes your comfort and provides you with assistance to be as independent as possible.

Learn more about your [rights as a nursing home resident](#).

For more complete information, see the publications [Guide to Choosing a Nursing Home](#) and [Medicare Coverage of Skilled Nursing Care](#).

Quality Measure (All) Report: LS Antipsychotic Medication - 1 Quarter View
 Your entire organization chosen. Peers are in the entire nation; No Peer Type restriction; Centers from My Org are not included in peer group.



Black - Kansas Gray - Nation