



Questions for Candidates for Massachusetts Legislature

1. Most Massachusetts residents know someone who has needed long-term services or care due to issues related to aging or disabilities or experienced it themselves. Has anyone close to you needed nursing home care, congregate living arrangements, or home and community-based services such as personal care assistants? What implications for public policy and regulatory enforcement do you draw from this experience?
2. One of the most important bills considered by the 192nd General Court, but not enacted, is House No. 4780 *An Act relative to Nursing Home Quality and Accountability*. Given the pervasively occurring provision of substandard care and staffing shortages, not to mention the tragic impact of Covid-19 on nursing home residents and staff, would you support transformational reform of nursing homes along the lines of H. 4780 when a version is filed for consideration in the next legislative session? If yes, will you consider being a co-sponsor in the next legislative session?
3. During the 2021-2022 session, the Legislature authorized the issuance of a bond in the amount of \$200 million to undertake the construction of “small house” homes for veterans in local communities throughout the Commonwealth (see <https://www.cfm.va.gov/til/Prototype/CLCPrototype.pdf> for a detailed description). Will you encourage the Administration to implement this project within the next year and support additional funding to help the program operate and expand?
4. Most Massachusetts residents would prefer to age in place – in their homes or in their community, will you support increased funding for housing vouchers, home modification for greater accessibility, increased support for home care and technology, and similar initiatives to help older adults and people with disabilities remain independent and safe in their own homes rather than face placements in nursing homes?
5. Massachusetts requires nursing home staff to be up to date on all Covid-19 vaccines and boosters, yet not all nursing homes have achieved full compliance. Will you support efforts to achieve full compliance by staff and encourage residents to receive all recommended vaccinations and boosters?
6. The ownership of nursing homes is increasingly under the control of out-of-state, investor groups. The organizational structure has been segmented into many components, often under common ownership, e.g., a real estate entity, management company, therapy

services, and more. This make it difficult to determine who is controlling major staffing, operational and business decisions and who has responsibility and accountability. Consequently, it is critical to analyze how MassHealth funds are being used. Periodic, independent, comprehensive, and transparent public audits are necessary to assess how nursing homes operate and public funding is spent.

Will you advocate that the state auditor undertakes this type of audit as a priority?

7. Hundreds of millions of dollars of state and federal funds have been provided to Massachusetts nursing homes during the pandemic. There has been little to no analysis and accountability of the use of these funds. It is important to know if these expenditures were effective in order to direct future allocation decisions. It is equally essential to provide public assurance that the funding is used as intended.

Will you call for a comprehensive public audit of the use of pandemic-related spending as an early priority?

8. Nursing home residents often have their human rights limited and are not treated with respect and dignity. In fact, residential clients of the Department of Mental Health and the Department of Disability Services have more rights than residents in conventional nursing homes.

Will you support efforts, such as allowing nursing home residents to file suit under the consumer protection laws, to restore human rights to such residents?

9. There is evidence that older adult and disabled residents of elder and congregate housing are bullied by staff and other residents.

Will you support legislation to strengthen laws and their enforcement to reduce bullying in elder and other congregate housing?

10. About one of four nursing home residents in Massachusetts is administered antipsychotic medications, one of the highest nursing home antipsychotic usage rates in the country. Massachusetts requires informed written consent of a patient or a patient's representative's representative prior to the administration of antipsychotics and other psychotropics to nursing home residents. Additionally, about 10% of Massachusetts nursing home residents have a diagnosis of schizophrenia, many of recent determination. This is a rate ten times greater than that of the general population.

What can be done to reduce the usage of antipsychotic medications as well as ensure meaningful compliance with existing requirements?