



Dignity Votes 2022

A Dignity Alliance Massachusetts Initiative

Through the Dignity Votes 2022 initiative, Dignity Alliance Massachusetts has invited candidates for legislative office to respond to a set of questions drafted specifically for the office. Dignity Alliance Massachusetts is a state-wide coalition of aging and disability service and advocacy organizations and supporters dedicated to the systemic transformation of long-term services, support, and care to ensure the dignity of older adults, people with disabilities, and caregivers.

Candidate Response – Shirley Arriaga (D) Candidate for State Representative (Eighth Hampden)

Question 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 (PCAs)? What implications for public policy and regulatory enforcement do you draw from this experience?

Response to Q1: Having the right care for our elders and disabled folks is truly important. People need to be held accountable for the care or lack of care they provide. I call for more transparency and accountability as a lot goes unseen. Educating, and consistently training staff will help ensure staffers are treating patients with the utmost respect and perform their duties as professional and caring as possible.

Question 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?

Response to Q2: I would support and consider co-sponsoring transformational reform of nursing homes along the lines of H.4780 in order to ensure the legislation encompasses quality and accountability.

Question 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?

Response to Question 3: Veterans' issues, including housing security, are a key priority of mine. Veterans should have an array of housing options available to them, per their individual needs. These small houses empower economic freedom and personal independence; thus, I support the development of these homes. I want our veterans to have future possibilities, and by ensuring our veterans with basic needs such as housing is how we will get there. Having these small homes will allow our veterans to find a place of peace and a bed to call their own. The "small house" project with additional resources will aid our veterans get back on their feet and will open up a world of possibilities. They were there for us and now it is our turn to be there for them in their time of need.

Question 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?

Response to Question 4: Aging in place requires coordination with insurance, community services, and families. Expanding eligibility for current programs that address these needs is crucial as inflation and services costs cut into an individual's allocated funds. Individuals should have all options to stay in their home" age in place," if they choose. I support the "age in place" initiative.

Question 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?

Response to Question 5: I support full compliance by staff and will encourage residents to receive recommended vaccines and boosters in order to protect our staff and the patients. Safety is a priority and with education we can help explain the benefits of being vaccinated and following up with boosters.

Question 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 makes 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?

Response to Question 6. Privatization of public entities such as nursing homes reduces oversight for profit. It is crucial that the state auditor oversee the implementation of services and operation of these homes, especially if they receive government funding. These audits have changed public nursing home conditions, and we should support upholding our elder care to the highest standard.

Question 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?

Response to Question 7. I support a public audit of taxpayer funds that were used for pandemic spending.

Question 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?

Response to Question 8. I will support nursing home residents to file suit for human rights. Fortunately, Massachusetts continues to enact legislation like Nikki's law establishing a workplace abuse registry. Residents **have a right to defend themselves and their human rights in court.**

Question 9. The safety, well-being, and rights of persons with disabilities and older adults living in public as well as subsidized housing have had little or no protection. Issues include but are not limited to failure to protect victims from bullying and mobbing; failure to grant reasonable accommodations to disabled persons; and evictions leading to homelessness and emotional and physical trauma. Accountability is lacking.

Will you support legislation to strengthen laws and their enforcement to assure the safety and rights of people in these situations?

Response to Question 9. I will support legislation that ensures people's safety, especially those most vulnerable to abuse.

Question 10. About one of four nursing home residents in Massachusetts is administered anti-psychotic medications, one of the highest nursing home anti-psychotic 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 anti-psychotics 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 anti-psychotic medications as well as ensure meaningful compliance with existing requirements?

Response to Question 10. Expanding legal education about protections for individuals in these spaces is crucial. I would suggest an in-depth study/audit as to the reasons for the high number of recently diagnosed patients. I would ask for transparency to see if and why certain drugs are being favored and or pushed to the patients. Anti-psychotic meds should only be prescribed to patients in need. I push for accountability and full transparency and will urge families to pay close attention to their loved one's medical treatment and diagnosis. The more we educate ourselves, the easier we can help others.

Brief profile of Shirley Arriaga:

Shirley Arriaga is a graduate of Elms College and attended Western New England School of Law. She served as a Staff Sergeant in the Air Force. She was Veterans Director for Congressman Richard E. Neal. She has been an educator in the Chicopee Public Schools. She is a single parent of an eight-year-old daughter.

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Dignity Alliance Massachusetts is a state-wide, grass-roots coalition of aging and disability service and advocacy organizations and supporters dedicated to systemic transformation to ensure the dignity of older adults, people with disabilities, and caregivers. We are committed to advancing new ways of providing long-term services, support, living options, and care while respecting choice and self-determination. Dignity Alliance works through education, legislation, regulatory reform, and legal strategies to realize this vision throughout the Commonwealth.
