



# 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 – Sally Kerans (D) Incumbent Candidate for State Representative (Thirteenth Essex)

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**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:** I have lived through the experience of having my father and my uncle in nursing homes. It was awful: the staffing was inadequate but somehow that Elders in wheelchairs placed close to the desk, elders walking into one another's rooms and cl

**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:** Yes and Yes!

**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:** Most Massachusetts residents would prefer to "age in place" – in their homes or in their community.

**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:** I asked someone involved in the industry, "Why won't they give me the reimbursement they would give to Medicaid to me so I can care for my father at home?" "Well, there could be a fire." The irony is I will always believe that my father died because he choked on his morning meds. No explanation given. I should have demanded an autopsy. My uncle's experience was better because he hadn't a stroke, as my father had. But I did have to assemble the Nursing home staff when I learned that a staff would "playfully slap" my uncle, who was developmentally disabled. More recently, in 2021, I had a 22-year-old constituent who was stuck at the worst nursing home in Danvers. They've changed their name several times. The director of this home told me he could not allow Brendan to use the gym, I think it was, due to regulations. I finally called Secretary Sudders who helped my get him out of there, but the director ticked off a list of regulations that prevented reasonable requests.

**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:** Yes.

**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.** Yes!!!!

**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.** Our legislation allotting ARPA funds also established creation of a website to track where these funds went. I am confident that under the Healey Driscoll administration this will be fully implemented.

**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. Absolutely.

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. Yes!

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. This happened to my father and uncle. I was floored. "What do you mean, he's on Lamictal?" I demanded to speak with the Psychiatrist, who showed up now and then. It was futile. We should first, require by law that they first notify the family member of anyone they'd like to give a psych med to; that's a minimum. Somehow, we should be able to see from home to home how often they do this. And then we should use reimbursement systems to exert more control and transparency.

Question 11. *Is there anything you would like to add?*

Response to Question 11. I will devote more time to these issues in my next term. I was given too many committee assignments last time (5 plus an Interagency Task Force) and could not spend as much time on these issues as I'd have liked. Please count me among your strong, strong supporters; I'd love to work with you all. Thank you.

**Brief profile of Sally Kerans:**

Sally Kerans served three terms in the Legislature from 1990-1996 and was elected again in 2020. She attended Westfield State College, graduated from UMass in 1982, and the J.F.K. School of Government 1997. She has served on the Danvers Finance Committee, Committee for Diversity, Human Rights and Inclusion, Danvers Town Meeting, and the Board of Citizens Inn.

[www.SallyKerans.com](http://www.SallyKerans.com)

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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.

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