



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 – Joan Lovely (D) Candidate for the Senate (Incumbent) (Second Essex District)

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: As an advocate before I entered the Legislature, I assisted many vulnerable residents including a woman with intellectual and mental health conditions with access to supportive services. She required extensive financial guidance and day-to-day community-based services. I worked hard to access both daily medical and personal care that gave her an increased quality of life. Our team was able to elevate her from a serious hoarding situation to independence and dignity in her community. I also advocated for a man who had suffered a catastrophic stroke and was wheelchair bound. He was fierce about his independence and given his significant level of disability I supported his decisions and independence in the community. Through this personal experience, as well as my formal legislative experience, I now work closely with Dignity Alliance and its experienced advocates to support budget and policy decisions to support our aging and disabled residents to live fulfilled lives.

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.

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: Yes. I voted in favor of this bond authorization and fully support the 'small house' homes concept so all veterans may have the opportunity to age in place in their home communities. This is the future of supported veterans housing in Massachusetts.

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: Yes. I have never met an older adult who willingly wants to leave the home and community where they lived and raised a family. We must prioritize keeping our older adults supported in their homes and communities instead of relegating them to nursing home placements when not absolutely appropriate for that level of care.

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. We witnessed catastrophic fatalities of our older adults due to Covid-19 especially in nursing homes where Covid was unfortunately introduced into these facilities mostly by staff through no fault of their own. It is responsible to do everything possible to protect all vulnerable nursing home residents from Covid, Influenza and all contagious diseases.

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. All public funding requires auditing, and this is a priority.

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. Yes. Again, all public funding requires auditing and this is a priority.

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. Yes. All nursing home residents should have their human rights protected. I am proud to sponsor a bill on supported decision making which when appropriate can replace guardianship to allow individuals to participate in their life and medical decisions instead of having that removed by a guardianship.

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 have sponsored and passed legislation to create a commission to study bullying in subsidized housing. That commission was created and completed its work. Public housing has anti-bullying policies and trainings in place and we continue to work to enhance and support subsidized housing tenants and landlords to eliminate bullying and mobbing so tenants feel heard and protected in their homes and common spaces.

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. I had a difficult experience with my own father who was administered anti-psychotic medication after a surgical procedure due to his Alzheimer's disease. What should have been an overnight stay in the hospital was a multi-day stay because he did not regain consciousness. It was frightening to watch and his recovery was delayed. I vow to work with Dignity Alliance, the administration and legislature to resolve this significant issue.

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

Response to Question 11. Thank you for the opportunity to respond to this questionnaire. I am grateful to Dignity Alliance and attend your meetings to learn and work with you to advance and protect our most vulnerable populations: our nursing home residents who are completely dependent

for precious care; our older adults wanting to age in place; our veterans who deserve care for their service and sacrifice.

Brief profile of Joan Lovely:

Senator Joan Lovely is in her fifth term as State Senator for the Second Essex District. She has earned degrees from Salem State University and the Massachusetts School of Law. In 1997, she was elected to the Salem City Council where she served for 15 years. Senator Lovely serves in Leadership as Assistant Majority Leader and the Chair on the Senate Committee on Rules in addition to other responsibilities. Outside of her committee work, Senator Lovely is the Senate Chair of the Massachusetts Caucus of Women Legislators and the Ellen Story Commission on Postpartum Depression.

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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.

