



DignityAlliance Massachusetts

Respect • Self-determination • Choices

June 23, 2023

Honorable John J. Lawn, Jr.
Co-Chair Joint Committee on Health Care Financing
State House Room 236
Boston, MA 02133

Honorable Cindy F. Friedman
Co-Chair Joint Committee on Health Care Financing
State House Room 313
Boston, MA 02133

Dear Chair Lawn and Chair Friedman:

On behalf of Dignity Alliance Massachusetts, we are writing to express significant concern with House Bill No. 3929, An Act to Improve the Quality and Oversight of Long-Term Care.

In offering this statement of concern, we should first credit the good work of Chair Stanley and Chair Jehlen, and the members of the Joint Committee on Elder Affairs for advancing important and long-awaited legislation improving the resident experience and strengthening the quality and oversight of services for individuals residing in nursing homes. This legislative initiative has experienced many years in study, and the challenge and skill to developing a bill that gains the consensus to be advanced to the Joint Committee on Health Care Financing is recognized.

However, House 3929 as drafted does not now meet the hope and expectations held by Dignity Alliance Massachusetts membership for delivering the necessary transformational change to nursing home care that is now urgent.

Skilled nursing facilities are in desperate need of reform. Staffing shortages and turnover, poor quality care, lack of effective oversight by state and federal governments, and a myriad of other issues, while exacerbated by COVID-19, were serious concerns before the Pandemic, and continue to the present day.

We therefore urge committee members to apply a particularly critical eye on this bill with a goal of further strengthening the protections it extends to nursing home residents. Notable concerns that are not adequately addressed by the current bill as drafted are the following:

- House 3929 does not go far enough in providing sufficient tools for the Department of Public Health (DPH) to provide the needed level of oversight. It should be noted that regardless of the level of oversight no reform will have any impact unless DPH will commit to developing effective and tough regulations and meaningful enforcement.
- House 3929 falls short of requiring all nursing home owners and investors regardless of the percentage of ownership to be accountable and to require related third parties to establish competitive pricing.
- While House 3929 appears to establish additional staff training, little is done to attract and retain staff such as providing a livable salary, reduced reliance on overpaid temporary staff, or require safe levels of staffing and evidence-based direct care ratios.

Accordingly, after careful review and much thought, Dignity Alliance cannot endorse House Bill No. 3929, as drafted. Dignity Alliance is hopeful that further progress could be achieved as the bill moves through the legislative process. While the bill includes some positive steps, it lacks provisions for truly transformational reform that are needed in long-term care, and for which we will continue to advocate! We look forward to continuing to work with the Legislature to develop legislation that primarily serves the needs of nursing home residents and caregivers, and is truly transformational.

Please be advised that in addition to this letter, Dignity Alliance Massachusetts is submitting a technical companion to (House and Senate staff leads) that offers additional detail, background, and potential solutions to particular concerns.

Thank you as always for your consideration of these concerns raised. Please feel free to contact us at paul.lanzikos@gmail.com or rmoore8743@charter.net for any questions with which we can assist or information to offer.

Sincerely,

Paul Lanzikos
Coordinator

Richard T. Moore
Legislative Chair

Dignity Alliance Massachusetts, a grass-roots coalition of aging and disability service and advocacy organizations and supporters, works to secure fundamental changes in the provision of long-term services, support, and care. A coalition of more than 30 organizations, committed to a new vision of dignity and care for older and disabled people in Massachusetts! Positions are not necessarily the opinions of all members.
