

DignityMA Asks the Candidates

To inform older adults, persons with disabilities, family members, and caregivers about legislative candidates' positions on issues of interest, Dignity Alliance Massachusetts (DignityMA) has prepared The Dignity Dozen, twelve questions regarding key issues and proposals.

Questionnaires have been distributed to all candidates who have competitive primary contests. Candidate responses will be posted on the DignityMA website. Primary Election Day is Tuesday, September 3rd.

Questionnaires to all candidates who will be on the ballot for the November 5th general election will be distributed after primary election day.

The twelve questions:

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 was their experience?
2. Nursing home residents are allowed to keep a monthly personal needs allowance (PNA) of \$72.80 from their Social Security benefits and other income sources. The balance is paid to the nursing home. The PNA can be used for personal needs such as hairdressing / barber, services, clothing, cellphones, etc. The amount of the PNA has not been changed in over 30 years. Given inflation, the allowance would be about \$160.00 today. Do you think the PNA should be increased?
3. During the 2021-2022 legislative session, the issuance of a bond for \$200 million was authorized to undertake the construction of "small house" type nursing homes for veterans in communities throughout the Commonwealth (see <https://www.cfm.va.gov/til/Prototype/CLCPrototype.pdf> for a detailed description). Would you encourage the Administration to implement this project within the next year and to provide additional funding to help the program operate and expand?
4. One of the most important bills being considered by the 193rd General Court, but not yet enacted, is H4193 / S.2889 An Act relative to Quality and Oversight of Long-Term Care and Assisted Living. Given the pervasive occurrence of substandard care and chronic staffing shortages in nursing homes throughout the state, would you support reform measures to require transparency of ownership, management accountability, and more rigorous enforcement by the Department of Public Health and the Executive Office of Elder Affairs?
5. Most Massachusetts residents would prefer to age in place in their homes or in their community. Will you support increased funding for programs and services such as housing vouchers, home modification for greater accessibility, increased support for personal care assistants, home care, assistive technology, and similar initiatives to help older adults and people with disabilities remain independent and safe in their own homes rather than face placement in nursing homes?
6. The ownership of nursing homes is increasingly under the control of out-of-state investor groups and private equity interests. The organizational structure has been segmented into

many "related business" components, often under common ownership, e.g., a real estate entity, management company, therapy services, and more. This makes it difficult to determine who controls 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 how public funding is spent. Will you advocate that the state auditor undertakes this type of audit as a priority?

7. During the pandemic, hundreds of millions of dollars of state and federal funds have been paid to the owners of Massachusetts nursing homes. There has been little to no analysis and accountability of the use of these funds. Providing public assurance that the funding was used as intended is crucial. Will you support the call for a comprehensive public audit of the use of pandemic-related and other supplemental funds for nursing home spending as a priority?
8. Nursing home residents often have their human rights ignored or curtailed. They are frequently not treated with proper respect and dignity. Residents in nursing homes licensed by the Department of Public Health have less rights than clients served by the Department of Mental Health and the Department of Development Services. Will you support efforts to restore human rights to such residents, such as allowing nursing home residents to file suit under consumer protection laws?
9. There are frequent incidences of bullying of older adults and persons with disabilities who reside in elder and congregate housing. Will you support legislation to strengthen laws and their enforcement to prevent and reduce bullying in elder and other congregate housing?
10. Anti-psychotic medications are administered to about one of four nursing home residents in Massachusetts, one of the highest nursing home anti-psychotic usage rates in the country. Massachusetts requires informed written consent from a nursing home resident or a resident's representative before the administration of anti-psychotic and other psychotropic drugs. 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. Will you support legislation to improve the control and oversight of these medications provided to nursing home residents?
11. Approximately 70% of Massachusetts nursing homes regularly report staffing levels below the state minimum of 3.58 hours per resident day. Most experts believe that the ratio should be higher. Do you support requiring nursing homes that fail to meet an evidence-based standard for nursing care to freeze new admissions until they comply?
12. The Department of Public Health is expected to respond to nursing home resident complaints in a timely manner. The same applies to the Executive Office of Elder Affairs for assisted living resident complaints. Both agencies have been chronically behind in timely response according to the Inspector General of US Health and Human Services. Will you support adequate staffing of nursing home surveyors (inspectors), and efforts to improve compliance with timely responses to resident complaints?

Do you have any thoughts to add? Do you have any questions for us?