



To: Sen. Beverly Gossage, Chair and Members, Public Health and Welfare Committee
From: Rachel Monger, President/CEO, LeadingAge Kansas
Date: March 16, 2023

LeadingAge Kansas is the state association for not-for-profit and faith-based aging services. We have 160 member organizations across Kansas, which include not-for-profit nursing homes, retirement communities, hospital long-term care units, assisted living, homes plus, senior housing, low-income housing, home health agencies, home and community-based service programs, PACE and Meals on Wheels. Our members serve more than 25,000 older Kansans each day and employ more than 20,000 people across the state.

Testimony in Support of House Bill 2264

Heartbreaking is not an adequate word for what nursing home residents and their families suffered under COVID-19 pandemic isolation.

The resident visitation restrictions addressed in this bill were regulatory requirements from the Centers for Medicare and Medicaid Services. Nursing homes had to follow those requirements exactly, and failure to do so resulted in hundreds of thousands of dollars in fines, loss of Medicare and Medicaid funding, and inevitable closure. The Kansas Department for Aging and Disability Services chose to match state-licensed adult care home requirements to CMS rules. As visitation restrictions started to loosen, we had many nursing homes who were reluctant to be as liberal as they could with visitation due to fear of lawsuits, especially after the state of Kansas carved them out of the liability protections given to other health care providers.

After much pushing by nursing home providers and resident advocates, CMS finally lifted all visitation restrictions for residents, pledging to never again order nursing home lockdowns. We hope they will keep their promise.

We support HB 2264 because we believe it successfully outlines important visitation rights of patients while allowing providers to do what is necessary to preserve the vital Medicare and Medicaid funding needed to keep our long term care system functioning in Kansas. We thank Committee members for their time today, and respectfully request the Committee to vote Yes on HB 2264.