



To: Sen. Julia Lynn, Chair, and Members, Special Committee on Economic Recovery

Date: August 13, 2020

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.

We thank you for the opportunity to update the Special Committee on Economic Recovery on the challenges our members and their residents continue to face in this pandemic.

Nursing homes and assisted living communities have been some of the hardest hit by COVID-19 in Kansas and across the nation. There are many reasons, documented by experts, why COVID-19 spreads so quickly within nursing homes. By design, these care settings are home to a high concentration of older adults with serious underlying health conditions who live in a communal environment and require hands-on assistance with basic activities of daily living like dressing and bathing. There are many things about the virus we do not fully understand, and it has a very high rate of asymptomatic and pre-symptomatic spread. This combination of factors makes the virus extremely challenging to control, even for nursing homes that have honed their infection-control and prevention protocols during scores of influenza seasons.

Adult care homes continue to face challenges in this pandemic, and we ask that our elected officials keep us at the forefront of the COVID-19 response to help us protect the thousands of vulnerable adults we serve.

### **Personal Protective Equipment**

Adult care homes need proper personal protective equipment—including masks, gowns, and gloves. They have no priority access to proper PPE, and little ability to compete for it on the open market. Nursing homes received their shipment from FEMA with one week's worth of PPE, however much of the equipment was not medical grade. We have discovered that the majority of the state's emergency supplies are also not medical grade. Under House Bill 2016 passed in June, KDADS was directed to provide PPE and other supplies to adult care homes to

fight COVID-19. The agency is working on setting up some kind of state purchasing contract, but providers will still have to find the money to pay for their needed supplies. The price of PPE and other supplies continue to sky rocket, and our providers find it difficult to purchase enough supplies just for regular everyday use. Purchasing enough equipment and supplies for a facility-wide outbreak seems hopeless for many.

### **Staffing**

Long term care workers are on the frontlines of this pandemic, and they are healthcare heroes. Like many other health care providers, our staff are working long hours without enough PPE, without testing and without any assurance that they won't contract this virus and carry it home to their loved ones.

The workforce crisis in long term care far pre-dates COVID-19. Our financial constraints mean we cannot compete with Walmart or McDonalds, let alone other health care providers. Caregiving is a physically and emotionally demanding job, and combined with low pay, recruitment is difficult. Add a pandemic on top of it, and our staffing issues remain dire.

### **Testing**

We need access to critical testing tools that would help us identify and isolate staff and residents who have been exposed to the virus. We are forced to wait days for test results, and are often limited in who the health department is willing to test, despite knowing that COVID-19 has a large number of asymptomatic victims, particularly among the elderly. The federal government has promised to send antigen testing equipment to nursing homes with outbreaks, however no Kansas nursing homes are on their list for distribution. There is no indication from federal agencies when any testing machines will make their way to our nursing homes.

### **Resident Visitation**

In June, CMS announced that states could create their own plans to start re-opening nursing homes for visitation and outside services. In Kansas, each adult care home has been ordered to draft their own re-opening plans in conjunction with their local health officials. The degree to which a home has implemented re-opening varies widely by provider, by county and by region of the state. The more COVID-19 cases in the community, the likelier an adult care home will stay in lockdown mode.

The restriction on visitation has been heartbreaking for residents and families. Our providers are also heartbroken. Members contact us everyday about the suffering of their residents from the months-long isolation from loved ones and the outside world. They fear that the cure has been worse than the disease, and are trying their best every day to balance safety with the deeply human need for connection and family. Many adult care homes started outdoor visitations as soon as they could, and some have also transitioned to short indoor visitations with masks for visitors and sanitation between visits. However, lockdown often remains for

those homes in high-transmission counties. Even in those homes, communication and visitations continue via video chat and other non-contact methods.

The safety of residents and staff, along with government regulation and personal injury litigation, mean that adult care homes must remain extremely cautious about re-opening to outside visitors. Our members are doing their best to help their residents out of isolation, but they are often at the mercy of the larger community on this issue. As long as COVID-19 transmissions continue to rise and spread, lockdowns and visitor restrictions will likely continue.

Thank you for the opportunity to lay out our challenges today in fighting COVID-19 in long term care settings. We appreciate the legislature's strong commitment to working on behalf of older Kansans amid the COVID-19 crisis and we stand with you to act urgently to provide the support older adults and senior care providers so desperately need and deserve.