



To: Rep. Brenda Landwehr, Chair and Members, Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight

Date: June 22, 2020

### **The Fight Against COVID-19 in Long Term Care**

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.

Adult care homes have been some of the hardest hit by COVID-19 in Kansas and across the nation. That is because COVID-19 is a stealthy virus that feeds off frail elders -- the very population that nursing homes and assisted living communities serve. These elders are in care settings that, by design, 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.

We are now four months into the worst pandemic in a century, and our state still has no more than a patchwork plan for protecting older Kansans' lives. Kansas needs a comprehensive plan to secure and deliver the life-saving supplies and resources that aging services providers need to keep people safe: testing, PPE, resources and real support for care workers risking their lives every day. We also need comprehensive state and regional plans to respond to COVID-19 resurgences that value the lives of everyone across the health care spectrum.

**We need immediate access to ample and *appropriate* PPE for all providers who serve older Kansans**

Care providers need proper personal protective equipment—including masks, gowns, and gloves—so we can keep our residents and caregivers safe. We have no priority access to proper PPE, and little ability to compete for it on the open market. The state has set up a multi-step, bureaucratic process for providers to request PPE supplies, and we have heard many reports that the full requests are not fulfilled. Many senior care providers are unclear on the request process, and operating under the assumption that the state supplies are as scarce as their own. We were very shocked to hear recent comments from Dr. Norman, who told the Senate Judiciary Committee that KDHE is sitting on literal warehouses of these desperately needed supplies. Our various governmental entities need to fix any information and communication issues amongst themselves and with providers, and start delivering badly needed PPE to nursing homes across the state.

### **We need on demand and fully funded access to rapid-results testing for older adults and their care providers**

Senior care providers need access to critical testing tools that will help them identify and isolate staff and residents who have been exposed to the virus. They are forced to wait days for test results and are often limited in who the health department is willing to test. Our state testing resources for adult care homes are only triggered by symptomatic outbreaks. This policy remains, despite knowing that COVID-19 has a large number of asymptomatic and pre-symptomatic victims. This is particularly true among the elderly, where CDC studies have found asymptomatic rates of up to 50%.

There is no funding or priority for testing asymptomatic residents and caregivers in adult care homes, until *after* an outbreak has already spread through the building. And even then, the state and local health department do not offer testing for everyone in the building.

A member recently shared a particularly egregious example of the lack of communication and lack of support our providers are receiving from the government during this pandemic. A member nursing home discovered a COVID-19 positive case in their building. They reported it to their local health department as required. The health department did their investigation and offered testing to only a limited group of people at the nursing home that they believed may have been exposed to the virus. A family member of a resident became upset that testing was not being done on all residents and staff in the building, and contacted KDHE to make a complaint. The staff member she contacted at KDHE did not offer any resources to help access testing, but did suggest that the family member start a social media campaign against the nursing home to demand that testing be performed by the home.

This is just one illustration of how nursing homes are being set up to fail by the lack of support they have often received during this pandemic.

### **We need funding and support for senior care providers and their workers**

Senior care needs adequate funding that actually covers the true cost of the care they provide. This includes rapid testing, PPE and fair pay for our caregivers that are risking so much for our older Kansans. The vast majority of nursing homes have Medicaid as the primary payor for resident care, and our system was in crisis long before the COVID-19 pandemic started. Our providers are putting forth heroic efforts during this pandemic to care for older Kansans while our funding and workforce shortages continue to explode.

LeadingAge Kansas, KHCA and KACE submitted a joint Medicaid funding proposal to the administration many weeks ago with no answer. We recently heard from KDADS that a funding proposal has been developed by them based upon our request, but the process of how that money can get to our providers is unclear.

Our funding needs are beyond urgent, and we ask the administration and legislature to move quickly to authorize more funding for nursing homes to fight COVID-19.

**Adult care homes need more than state guidance that comes without tangible resources and hands-on help**

KDADS and KDHE have only recently released guidance to adult care homes for re-opening to visitors and for testing across the state. Under the guidance, re-opening and testing plans are left up to each individual provider to develop after consulting with their local health department. Adult care homes are under enormous pressure to re-open to outside visitors and vendors. Homes are expected to develop their own plans and move forward, but they are doing so without any more resources around PPE, rapid-testing and Medicaid funding.

The administration's recognition that the experience with COVID-19 varies widely between counties and cities across the state is important. However, issuing general guidance to adult care homes that leaves them to navigate re-opening and testing on their own is not an adequate solution. Adult care homes will continue to need significant resources and hands-on help from our government to fight this virus.

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.