

Chair Hilderbrand, Vice-Chair Landwehr and Members of the Committee,

My name is Margaret Farley. I am the new Executive Director of Kansas Advocates for Better Care (KABC). I have stepped into the position held for 13 years by Mitzi McFatrach who retired last December, so I have big shoes to fill. I was born and raised in Sumner County. My educational background is a bachelor's in science degree in nursing and a law degree. I was a registered nurse for several years and first learned about Kansans for Improvement of Nursing Homes (KINH), now KABC, in the late 1970's.

As an RN, I worked in home health care in Kansas City and later as a discharge planner at a hospital in Overland Park, prior to the Nursing Home Reform Act. In that job, I learned that the quality of nursing home care was inconsistent, and improvements were badly needed. Since its founding, KABC has worked diligently to improve policies and practices for persons who live in nursing homes.

Finding KABC and its mission to improve nursing home care set me on a personal course to try to make nursing home care better. Since that time, I have served on the KABC board, including as president several times since the 1980's. I also was the executive director of KABC from 1990-1996, shortly after enactment of the Nursing Home Reform Act of 1987. In September 2020 I retired from the board of directors of KABC, only to find myself applying for executive director's position last December. KABC has been working since 1975 to improve nursing home care, and now assisted living care. And KABC has since the late 1980's recognized and advocated for so-called alternatives to nursing home care, that is home and community-based services, collectively now known as long term supports and services.

Now we are witnessing the over-sized burdens of 2020 COVID-19 on nursing facility residents, and the staff who care for them. It is clear that the virus which spread like wildfire through facilities across the state and the nation, was exacerbated by pre-existing conditions and operations, such as the breach of residents' rights, inadequate infection control, too few staff who were often required to work many hours of over-time and inadequate supplies. These issues were exacerbated by the pandemic. The residents have paid, and continue to pay for these problems with their health and too often, their lives.

We continue to ask legislators to support increased funding to KDADS to allow it to fulfill its federally and state mandated oversight functions and required inspection time frames for adult care facilities. This oversight and enforcement function is intended to encourage best practices, prevent abuse and neglect of residents and address quality of care issues such as pre-and during pandemic understaffing and infection control policies and practices, among others.

KDADS is responsible for the program of specially trained nurses who inspect health and safety conditions in licensed adult care facilities. KDADS nursing facility survey unit is under contract to the federal government to do these inspections. Prior to the pandemic, inspector vacancies ranged from 22-18 were consistent and were on-going.

The COVID-19 pandemic has compromised the survey system for obvious reasons. Surveys have been focused on infection control and complaint investigations, and reports of abuse, neglect and exploitation. Other routine surveys may be more limited than in the past. Ongoing issues of resident-family visitation must be addressed for the health and safety of residents, and for their quality of life. We expect this will place an increased burden on complaint surveys.

Kansas needs funding and resource development, and innovative programs to support older and disabled adults in their homes and in their communities, we need adequate standards which are enforced.

The COVID-19 pandemic has laid bare the deficits of the current long-term care system. Significant reforms and higher levels of accountability and transparency are needed in long-term care, as are support for options to receive long-term care that re-balance our system away from institutional care and toward the more cost-effective model of home and community-based services, which supports where older adults want to remain in their homes in their community.

Thank you.

Margaret A. Farley, Executive Director - On behalf of Board of Directors and Members

KABC is a statewide not-for-profit organization whose mission is to improve the quality of long-term care for elders in nursing and assisted facilities and in-home. KABC is not a provider of government funded services. For over 45 years KABC's role has been as a resource and advocate for older adults and families and as a resource to policy makers on aging and quality care issues. KABC provides consumer education information and tracks and reports on quality care performance issues.

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