

Congressional Hearing, September 21, 2022
The Impact of The Coronavirus on Nursing Homes

To: Representative James Clyburn and The House Select Committee
Fr: Elizabeth Stern, Daughter of a Nursing Home Resident, Stonington, CT
RE: The Impact of the Coronavirus in Nursing Homes

Dear Congressman Clyburn and Members of The Select Subcommittee on the Coronavirus Crisis:

Thank-you for the opportunity to share my observations and deep concerns regarding the impact of the coronavirus in nursing homes. I write on behalf of thousands of family members and friends of citizens who live in nursing homes. While the list of my concerns is long I also see the opportunity this crisis affords us. Dangerously low direct-care ratios, poor-pay, unsafe infection control practices, poorly designed buildings, poor medication management, very poor enforcement of regulations, and a lack of understanding of dementia all existed pre-pandemic. Additionally, the critical need to recognize and protect families as Care Partners was mis-underscored prior to March 2020. The prolonged isolation of residents caused untold harm that we now understand more clearly. Alongside the devastation of the coronavirus were the life-threatening effects of social isolation which ravaged our most vulnerable population. The isolation of residents in nursing homes from families exacerbated the devastation caused by the virus and thousands of unnecessary deaths were caused by the loneliness and harm of shutting out family support persons.

In a word, the coronavirus gave license to waive residents rights. Rights that are ensured by the 1987 Nursing Home Reform Act. The public health emergency heightened awareness of the disturbing practices and conditions of thousands of nursing homes.

My mother was a resident of a nursing home for over 4 years (May 2016-November 2020). She was a loving, dignified, registered nurse full of gratitude and she loved her family above all things. After being paralyzed by a stroke her family had no choice but to care for her in a small, for-profit nursing home. The daily support provided by her family was never considered a nicety. It was essential to her well-being. In March 2020 the coronavirus closed nursing

homes to visitors and ‘non-essential’ workers. Family was not considered essential and my mother died after spending the last 8 months of her life isolated from her reason to live - her family. She did not die by infection but suffered greatly due to the isolation to ‘protect’ her.

In the pre-pandemic world family support was allowed and often welcomed. Some families were care partners who supplemented overworked staff. As essential support persons, family members helped provide safe, informed and loving care. We know that life in a nursing home is often dismal, and at times unsafe, and shutting out family caregivers dramatized the need to ensure this isolation never happens in the future.

This Select Committee asks about the impact of the coronavirus on nursing homes. I am not a doctor, nurse, nursing home employee, or professional researcher. I am a daughter; a mother; grandmother; and deeply concerned, educated consumer who bears witness to the countless accounts of unsafe conditions that have worsened since March 2020. The pitfalls of a For Profit Nursing Home Industry have been uncovered by the spotlight that the coronavirus directed at nursing homes. We should all be aware of nursing homes that do little more than provide a bed, meds and a weekly Bingo game. How will this be addressed?

While we hear “The Future of Long Term Care is Better Home Care” we know that home-care is impossible for many in need of residential support. I write now to underscore what dozens of reports, written by trusted researchers and lived experience is bearing witness to at this moment:

- The state of the nursing home staffing crisis is not new, but the impact of the coronavirus has made it dire. We know that tens of thousands of nursing home workers have left the healthcare industry since March 2020. We need to go *beyond words* and move into action to support a universal set of standards that recruits, supports, and retains professional nursing home staff and ensures and enforces a safe direct-care ratio.
- A more robust Ombudsman Program must be considered to provide sustainable support for our citizens who live in long term care.
- The coronavirus can take credit for pulling back the curtain on many ills of the pre-pandemic nursing home industry. A privatized, for-profit industry that too often prioritizes profit over genuine person-centered care must be addressed. The current delivery system for residential care is not working.

- While a vaccine protocol is essential it is only one aspect of safety and it is important that moving forward we look at a more comprehensive definition of what constitutes ensuring a person's well-being.
- In the immediate future passage of **The Essential Caregiver Act/HR 3733** is crucial. This law will recognize, elevate and protect family support for residents in nursing homes. The Essential Caregiver Act was introduced by Representatives Larson(CT) and Tenney(NY) in June 2021. Family members have worked tirelessly to garner support for this bi-partisan bill and yet after 17 months it has yet to be brought to Committee. While there are years of work ahead to make the sweeping changes needed to improve nursing home care, one small but immeasurable step will be to recognize and support family care-partners with the passage of **HR 3733**. The slow wheels of change will only benefit with the immediate passage of **HR3733**, as this law will inevitably support the industry as well as individual residents.

I thank this Select Sub-Committee for asking the difficult questions. It is critical that we Define and Enforce Nursing Home Transparency as we *rebuild, support* and *enforce* an honest, transparent and responsible nursing home system.

Elizabeth Stern, daughter
September 21, 2022
Stonington, CT