



Aging Committee, March 9, 2021
Testimony of AARP Connecticut in **SUPPORT** of:

- **H.B. 6552** AN ACT CONCERNING THE RIGHTS OF RESIDENTS IN LONG-TERM CARE FACILITIES TO USE THE TECHNOLOGY OF THEIR CHOICE FOR VIRTUAL CONNECTIONS TO FAMILY, FRIENDS AND OTHER PERSONS
- **S.B. 973** AN ACT STRENGTHENING THE VOICE OF RESIDENTS AND FAMILY COUNCILS
- **S.B. 975** AN ACT STRENGTHENING THE BILL OF RIGHTS FOR LONG-TERM CARE FACILITY RESIDENTS

Good afternoon, Senator Slap, Representative Phipps, Ranking Members, and Members of the Aging Committee:

AARP is a nonpartisan, social mission organization that advocates for individuals age 50 and older. We have a membership of 38 million nationwide and nearly 600,000 in Connecticut. We advocate at the state and federal level for the issues that matter most to older adults and their families, including several of the issues that you are considering today. We would like to offer our support for all of the bills discussed below.

H.B. 6552 AN ACT CONCERNING THE RIGHTS OF RESIDENTS IN LONG-TERM CARE FACILITIES TO USE THE TECHNOLOGY OF THEIR CHOICE FOR VIRTUAL CONNECTIONS TO FAMILY, FRIENDS AND OTHER PERSONS

It has been almost exactly a year since visitors were banned from nursing homes due to COVID-19. Even before COVID-19, public health professionals warned of the adverse impacts of loneliness and social isolation, which include increased risks for dementia, heart disease and stroke, emergency department visits, and premature death that “may rival those of smoking, obesity, and physical inactivity.”ⁱ While Connecticut has taken steps to mitigate the impact of the visitation restrictions by requiring virtual visitationⁱⁱ and reiterating federal visitation guidance from CMS, these actions have not been enough to keep residents connected to their loved ones and ensure that their social and emotional needs are met.

As many of us have discovered during the past year, technology is not an adequate replacement for in-person interactions, but it can keep us connected to people we care about, make it easier to access information and entertainment, and help monitor the people and places that are important to us. Parents watch their infants with WiFi baby monitors, door cameras tell us when packages arrive at our homes, and we ask Siri and Alexa to tell us the time or play our favorite music. In the places where we live and work, technology is all around us, and many of us take for granted all the ways that our devices provide convenience and help us stay connected to the people we love.

More than 17,000 Connecticut residents live in nursing homes, and they deserve to have access to the same widely available technology that many of us use in our homes. In addition to giving residents a way to stay connected to their loved ones, cameras and other technologies make it easier for family members to remain involved in their loved one’s care. Even during times when visitation is not restricted due to a pandemic, family members may not live close

enough to their loved ones' facilities to visit or meet with staff on a regular basis, or they may have their own health and mobility issues that make it difficult to travel to the facility. Whatever the reason, they are still concerned about their loved ones' wellbeing and the quality of their care, and they want to stay in regular contact.

More than a dozen states permit cameras in nursing home rooms, either through law, regulation, or state programs that loan cameras to residents. The first law explicitly permitting cameras was passed in Texas in 2001, and laws permitting the use of cameras in nursing homes went into effect in 2020 in both Minnesota and Missouri.

While we strongly support H.B. 6552 and recommend its passage, we would also like to recommend the following changes to further strengthen the legislation:

- Section 1(b) would require residents to identify the “intended use” of devices prior to installation. This requirement does not seem to be standard in other states that allow residents to install cameras, and we believe it could pose a risk of retaliation to residents who are interested in a camera to deter abuse or neglect. We recommend removing this requirement.
- Section 1(b)(6)(B) requires residents or their representatives to verify that “the technology complies with applicable state and federal life safety and fire codes if such codes include standards for such technology.” This seems like an unnecessary barrier. We would recommend that this requirement either be removed or that facilities be required to provide residents with information about where and how to find this type of verification.
- Section 1(c)(2) would allow facilities to establish policies and procedures on the use of technology. We are concerned that the resulting policies could be so restrictive as to make it impossible for residents to effectively use the technology. In particular, we believe Section 1(c)(2)(D) was adequately addressed in Section 1(b) of the bill. We also believe that Section 1(c)(2)(E) could unnecessarily restrict the ability of residents to use technology during an emergency, which is one of the times when it may be most important for a resident to have improved access and connection to family members and other loved ones.
- In Section 1(e), lines 125 and 128, we would recommend adding “or the resident’s representative” following each mention of “the resident.”
- We suggest adding language to give residents or their representatives access to recourse if a nursing home does not permit them to install and use technology as permitted by this legislation. S.B. 975 (see below) would accomplish this by including the right to purchase and use technology in the Residents’ Bill of Rights.

Millions of Americans have cameras and other forms of technology in their homes to provide a sense of safety and to help them stay connected to their loved ones. H.B. 6552 would give nursing home residents the ability to use this same technology in the place that they call home, and we strongly urge its passage.

S.B. 973 AN ACT STRENGTHENING THE VOICE OF RESIDENTS AND FAMILY COUNCILS


Older and disabled people can speak for themselves, and they should be invited to participate in conversations about their own health, safety, and futures. They deserve the opportunity to discuss how policy proposals impact their daily lives and to share their ideas for how policies can best meet their needs. Although Connecticut’s nursing home residents are very well

represented by the Long Term Care Ombudsman, there is no substitute for lived experience. S.B. 973 would ensure that nursing home residents and residents' families have a seat at the table for important conversations, and AARP Connecticut supports its passage.

S.B. 975 AN ACT STRENGTHENING THE BILL OF RIGHTS FOR LONG-TERM CARE FACILITY RESIDENTS

S.B. 975 would expand protections for residents of nursing homes, residential care homes, and chronic disease hospitals. Residents of long-term care facilities deserve the same rights and protections as all other residents of the state, including the right to associate and communicate privately with the people of their choice, the right to purchase and use the technology of their choice, the right to present grievances and recommend changes in policies, and the right to access the government agencies and programs that impact their daily lives. Codifying these rights in the Residents' Bill of Rights [Sec. 19a-550] acknowledges their importance and also establishes that any facility that "negligently deprives a patient of any right or benefit created or established for the well-being of the patient by the provisions of this section shall be liable to such patient in a private cause of action for injuries suffered as a result of such deprivation." It is important for residents to know that they have recourse, and S.B. 975 will establish this.

Thank you for the opportunity to share our support for these important pieces of legislation. If you have any questions regarding AARP Connecticut's support for H.B. 6552, S.B. 973, or S.B. 975, please contact Anna Doroghazi: adoroghazi@aarp.org

ⁱ National Academies of Sciences, Engineering, and Medicine. 2020. *Social Isolation and Loneliness in Older Adults: Opportunities for the Health Care System*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/25663>

ⁱⁱ Connecticut DPH. "Order." Hartford, CT: Connecticut Department of Public Health, May 9, 2020. Available at: <https://portal.ct.gov/-/media/Coronavirus/20200509-DPH-Order-modifying-therequirements-regarding-visitor-restrictions-at-nursing-homes-reside.pdf?la=en>.