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Proponent Testimony for HB 2004 – Creating the right to appeal an involuntary discharge or transfer from an adult residential care facility.

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Thank you, Madam Chair Concannon and members of the House Children and Seniors Committee, for affording me the opportunity to testify in favor of HB 2004, Creating the right to appeal an involuntary discharge or transfer from an adult residential care facility.

The Alzheimer's Association is the leading voluntary health organization in Alzheimer's care, support and research. Our mission is to eliminate Alzheimer's disease through the advancement of research; to provide and enhance care and support for all affected; and to reduce the risk of dementia through the promotion of brain health. In Kansas, we have two chapters which together serve all 105 counties.

Involuntary discharges happen in Kansas and all across the country. In fact, eviction complaints are the most common type of grievance received by long-term care ombudsmen across the U.S. for the past several years. Unfortunately, residents and their families can be frightened by the threat of discharge from an assisted living community. Persons with dementia are particularly affected because they can sometimes display common dementia behavioral symptoms and because of that be displaced from their home. The Nursing Home Reform Law of 1987 protects residents of nursing homes from involuntary transfer and discharge but does not protect residents of assisted living centers which are usually regulated by state law.

Residents of assisted living communities should have the same rights regarding transfers as nursing home residents do by establishing an appeals process. This appeals process will give more influence and control to the residents themselves.

I ask that you support this bill because it will enhance the quality of care in residential settings and protect persons with dementia.