



House Judiciary Committee  
February 3, 2021  
Chairman Fred Patton

Chairman Patton and Committee Members:

My name is Tricia Phillips, Chief Nursing Officer for Axiom Healthcare Services. I have been with Axiom for the last 7 + years and in Long Term Care for 14 years. I also hold the position of District 5 Vice President on the KHCA Board. The following bullets provide an overview of our company's Kansas operation:

- Axiom Healthcare Services operates 4 skilled nursing facilities 4 Assisted Livings, 2 Home Pluses and two Behavioral Health Hospitals in Kansas.
- Our footprint extends West to Garden City, Northwest to Colwich, Northeast Marion, south into Derby, East to Kansas City area in Olathe & Shawnee, Kansas.
- We operate 487 licensed beds.
- Employ 890 employees across the company.
- We have all 4- star or 5-star facilities including 8 zero deficiency annual surveys.
- Our first outbreak was in one of our Assisted Living facilities on June 28, 2020.

Thank you to the Chair and the Committee for hearing my testimony on adult care facilities; relating to civil liability for COVID-19 claims; providing immunity therefrom. I will share with you first-hand experiences, hard lessons learned, ever changing policies all while fighting the raging staffing shortage.

I want to focus my testimony today on the way this affected us and our staff and residents for the last year.

I. COVID-19 Management and Prevention

- a. Ever changing playing field, frequently changing daily
- b. We were in uncharted territory.
  1. IMA is speculating that our liability insurance will rates will increase 20-25% d/t to this ruling.
- c. We were getting inconsistent guidance from multiple regulatory agencies, we had to become our own experts.
- d. Rolled out testing on Friday August 28, that started September 2, with no way to obtain supplies or systems.
  1. Inconsistent testing requirements across the healthcare spectrum
  2. Inconsistent admission bans, testing requirements and quarantines.

3. Inconsistent guidelines and requirements among regulatory entities
4. We were faced with difficult decisions on visitation, quality of life, increased depression/weight loss, not to mention all the increased communication we had to make happen with families, staff and residents.

e. Survey

1. We had 26 surveys in the state of Kansas in LTC from March to December 3, completed by Federal surveyors, resulting in 0 tags.

II. Staffing

- a. During the pandemic, we find ourselves in the midst of a wage war for staffing. In one month alone we had a building spend \$95,000 on agency who had not used agency ever prior to this.
- b. We have had two building that experienced a 37% drop in retention and the other had a 65% drop, these are both National Quality Silver Award winners.

I ask that you see this from our eyes. We take care of the most vulnerable population. We tax our staff with knowing what not only the resident but and families want before they even ask. Our staff have willingly sacrificed their time with their families, own health, and best interest to continue to provide quality care for these individuals. They have become caregiver, family member confidant we are privileged to have these healthcare workers in this state to care for this population.

Thank you for your time and consideration.

Sincerely,

**Tricia Phillips, RN, RAC-CT**

*Chief Nursing Officer*

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