



## **TESTIMONY**

In Support Of

### **LD 1573: An Act To Implement the Recommendations of the Commission to Study Long-term Care Workforce Issues**

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Maine Long-Term Care Ombudsman Program**

Before the Joint Standing Committee on Health and Human Services

**May 3, 2021**

Senator Claxton, Representative Meyer and committee members, my name is Brenda Gallant. I am the Long-Term Care Ombudsman. The Maine Long-Term Care Ombudsman Program is a statewide non-profit organization that provides advocacy for older adults and adults with disabilities who receive long-term services and supports in all settings. We serve residents in nursing homes, assisted housing including residential care and assisted living facilities, adult day programs and recipients of home care services. Additionally, we serve patients in hospitals who experience barriers in accessing long-term services and supports.

We are pleased to provide testimony in support of this legislation that requires implementation of the recommendations of the Commission to Study Long-term Care Workforce Issues. I was honored to serve as a member of the commission that held five meetings to consider a broad range of issues impacting the recruitment and retention of workers. Commission recommendations include: rebasing every two years for home and community based services, wages for direct care workers across the continuum of no less than 125% of the minimum wage, the adoption of rules by the Department to increase rates under rule Chapter 101: MaineCare Benefits Manual and any state-funded programs to take into account the costs of providing care, and it establishes the Long-term Care Workforce Oversight Advisory Committee.

#### Direct Care Worker Shortage is Impacting Long-term Services and Supports Across the State

The direct care workforce shortage is having a significant impact on long-term services and supports both in long-term care facilities and in home care. Administrators of long-term care facilities tell us often about the challenges they have in recruiting staff and their concerns about being forced to utilize staffing agencies at a much higher cost. Consistent staffing is critical to the wellbeing of residents. In fact, this is a best practice and has a direct impact on quality of care. The use of agency staff means that staff do not know the residents they are providing care for.

On April 16, 2021, we were told by EIM staff that there were 9,411 hours of unstaffed home care. In our experience in providing advocacy, we have found that unstaffed home care leads to a decline in condition, visits to the ED that might be avoided and admission to a long-term care facility.

### Waiting for Care

- A woman at home with dementia is being taken care of by her daughter who is a teacher. Home care staff are needed so that the daughter can return to work. However, none can be found. The daughter is running out of Family Medical Leave.
- A man in his 60's needs assistance to transfer from his wheelchair to his bed. Because staff could not be found he developed pressure ulcers. This resulted in a hospitalization and admission to a nursing home.

### Adequate Wages for Direct Care Workers are Critical to Recruitment and Retention

Direct care staff are one of Maine's most precious resources. Thousands of older and disabled individuals who need long-term services and supports rely on these workers every day. This demanding work requires dedication, skill and commitment. It is critical that we provide wages that reflect the professionalism required by this work. We will not overcome the direct care worker shortage until we provide a living wage.

I recently met a woman who works as a CNA. I am told by the residents she provides care for that she is excellent in every way. She told me about moving to the United States with her children. She is working on becoming a US citizen. She told that when she finishes her work every day as direct care worker, she goes to her next job of cleaning local businesses. She was not complaining and was proud of her ability to support her family. I was glad to have met her and have thought often how difficult it must be to maintain two jobs.

### Long Term Care Workforce Oversight Advisory Committee

We support the establishment of the Long-term Care Workforce Oversight Advisory Committee that would collect data regarding unstaffed hours, vacancies in direct care staffing, and unfilled beds in residential care and nursing homes. The Committee would also make recommendations to the Department and the Joint Standing Committee on Health and Human Services. We know that the workforce shortage will require ongoing work and attention. The Committee could be very beneficial in assuring that there continues to be a focus on direct care workforce issues.

The work of the advisory committee is critical in supporting Department efforts to address the direct care worker shortage. There must be sustained efforts to consider strategies to address this shortage.

Thank you for your consideration.