



February 23, 2021

**Written testimony of Matthew V. Barrett, President/CEO of the Connecticut Association of Health Care Facilities and the Connecticut Center For Assisted Living (CAHCF/CCAL)**

Good morning Senator Miller, Representative Phipps, and to the distinguished members of the Aging Committee. My name is Matt Barrett. I am the President and CEO of the Connecticut Association of Health Care Facilities (CAHCF), our state's trade association and advocacy organization of one-hundred and sixty skilled nursing facilities and assisted living communities. Thank you for this opportunity to submit testimony **concerning H.B. No. 6552 (RAISED) 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.**

The proposed legislation establishes a nursing home resident's right to use the technology of their choice that facilitates virtual monitoring or virtual visitation.

We recommend that the provision on line 13 allowing a legally liable relative who is not a conservator, guardian, or health care representative to provide consent for the use of the monitoring or visitation technology be additionally required to provide verification that the resident was unable to provide consent and that these asserting be properly witnessed by impartial parties.

We are also recommending that the provisions in (c) (1) on line 58 requiring the nursing home to provide Internet access, electricity and a power source for the monitoring or visitation technology at no cost to a resident be clarified as follows: First, consistent with the intent of the provision, the language should be strengthened to require a Medicaid pass-through cost reimbursement add-on for any costs associated with both necessary internet upgrades and any upgrades required for electricity and power supply in conformity with applicable federal, state, and local life safety and fire protection requirements. Second, in no event should the nursing home be required to provide internet access, electricity or a power source if doing so would compromise or interfere with the electronic medical records transmission, medical equipment used by the facility to support the care provided, require major physical plant renovations to patient care areas, or violate applicable federal, state or local life safety and fire protection requirements.

Finally, for the situations where roommates refuse to consent to the use of virtual monitoring, we recommend a clarifying revision to the language at lines 105-116 to assure that any efforts required of the facility to seek an acceptable accommodation be unbiased and respectful of the non-consenting roommate and the resident seeking the virtual

monitoring. As drafted, we are concerned that the nursing home's intervention would have the appearance that the facility is attempting to persuade the roommate to consent when they have previously refused consent with no involvement from the nursing home. A better approach would be to track the process now in place for addressing issues between roommates that may arise. Specifically, federal rules found at CFR 483.10(e)(3) already requires a nursing home to make reasonable efforts to accommodate residents' needs and preferences and this is commonly the authority used to address issues of this type.

Thank you again for this opportunity to testify on the bill as drafted. I would be happy to answer any questions you may have.

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