

To whom it may concern,



It is time for Assisted Living Homes to speak up and educate the public about the hard work and amazing care they provide. Arizona Healthcare Professionals should work together, not against each other. Hundreds of Assisted Living Facilities, Residents and their families in Arizona are concerned about [HB2260](#) (READ THE BILL). A Bill sponsored by Representative Kern and supported by many local Fire Departments. Many of the local Associations & Organizations advocating for Older Adults attended the stakeholders meeting February 7, 2020 and opposed this Bill. ([AZ Leading Age](#), [AZALFA](#), [AALHA](#), [FSL](#), [ACHA](#), [INTouch](#)) Most of them believe if this Bill is passed it will **DEVASTATE THE ASSISTED LIVING INDUSTRY!**

For a list of votes for or against visit azleg.gov ([HB2260](#))

The Assisted Living Industry Poll has over 500+ votes opposing this bill and 50+ comments.

For more information [Click Here](#)

Current News

HB2260 scheduled for Committee February 20, 2020. ([Agenda](#))

Who does the Bill Address? *"A. SKILLED NURSING FACILITIES, ASSISTED LIVING CENTERS, ASSISTED LIVING FACILITIES, ASSISTED LIVING HOMES, ADULT FOSTER CARE HOMES, GROUP HOMES, RESIDENTIAL CARE INSTITUTIONS AND OTHER SIMILAR HEALTH CARE INSTITUTIONS AS PRESCRIBED IN RULE BY THE DEPARTMENT AND THEIR RESPECTIVE EMPLOYEES, AGENTS AND ASSIGNS HAVE AN AFFIRMATIVE DUTY TO CARE FOR THEIR RESIDENTS."*

The bill is written in a way to expect the non-medical facilities like Assisted Living Homes in Arizona to access if a resident is uninjured prior to calling 911. Only Skilled Nursing Facilities have RN's on staff 24/7 to access the level of an injury. This is only possible if every facility hires an RN 24/, which will cost a minimum of \$20,000/month and \$241,000 a year. Times that with 1800+ Assisted Living Homes, 55 Adult Foster Care Homes, 137 Adult Behavioral Therapeutic Homes, 1200 Group Homes and many of the 317 Assisted Living Centers, were talking about an increase of over \$725,000,000! **That's over 7 Million dollars increase a year for Assisted Living Facilities!**

All Assisted Living Homes, Adult Foster Care Homes, Adult Behavioral Therapeutic Homes, Group Homes and many of the Assisted Living Centers will be forced to close their doors and the 51,000+ beds available to Older Adults needing affordable housing will disintegrate. This bill will cause more than 40,000 Older Adults living in Arizona to relocate to a SNF? Who will then be responsible for the Transitional Trauma and deaths that will occur? Thousands of Caregivers unemployed? Thousands of small businesses closed. Older Adults have a right to choose where they want to live based on their needs, their likes, and their budget. They paid taxes and many of them fought for this country. We cannot take away their right to a 911 call. **This is not speculation or a theory from an individual, this is over 500 Assisted Living Professionals, Residents or their Families opposing this bill in its entirety.**

In reviewing this bill and attending the stakeholders meeting I observed that this bill is based on rumors that ALH's have No Lift policies and don't perform CPR. I have yet to find or receive any reports supporting these statements. Assisted Living Homes do not call 911 when a resident is on Hospice, when a Resident can communicate that they are ok. ALH's have many resources they use, Hoyer's, 2 person transfers, Mobile Urgent Care. Mobile Doctors order labs and x-rays. I wish that the ones supporting this bill would have reached out to the many organizations/associations in Arizona advocating for this Industry. Gaile Dixon with the Arizona Assisted Living Homes Association started attending the EMS Meeting and offered a presentation on Falls in Assisted Living, but sadly was denied. Many states and large centers do have a NO LIFT policy not just for liability but to prevent the many injuries on their staff. **As an aging specialist in this Industry for 10+ years I have never seen a no lift policy in any Assisted Living Home in Arizona.**

I understand the frustration from EMT's & Paramedics about unnecessary calls or lift assist calls. Many states struggle with this very same issue. The Fire Rescue International speaks about "[Reducing EMS calls Community Partnerships](#)", another article talks about "[how to avoid the increasing costs of lift assists calls.](#)" And how may health care providers and states have enacted the "NO LIFT" policy to protect their staff from harm like musculoskeletal Injury (causing 34% of all lost workdays). Many cities have started to bill both providers and individuals for repeat visits. Omaha Fire Department \$400 per visit to lift an uninjured resident. [Tacoma, Washington's Fire Department](#) Fee's effective February 1, 2019. Bangor Maine's Fire Department 4-8 non-emergency visits are \$25 per vehicle charge, 9 or more visits \$125 per vehicle. [Kansas City New Legislation](#) on their Lift Assist Fee's. We would Arizona's Fire Departments to show their costs and statistics regarding Assisted Living, then we would like to work together and implement a plan of action on how we can work together for the benefits of all our Older Adults needing care in Arizona. [Phoenix Fire Department Mission Statement.](#)

The Bill

Section 1

All Caregivers in Arizona are Certified to provide Cardiopulmonology & First Aid, which is already mandated by the Arizona Department of Health Services [R9-10-806A-10](#), and NCIA Board [R4-33-403B-3](#). CPR & First Aid Certification covers the Good Samaritan Law, Cardiopulmonary Resuscitation, AED, First Aid, Wounds, Heart, Fractures, Burns, Poisoning, Hemorrhages, Chocking, Injuries and Shock and instructs all students to Call 911 then perform CPR until the person exhibits signs of life or a trained Medical Responder arrives on scene. **If a medical professional does not assess someone after a fall, facilities get blamed for not calling 911.**

Section 2

“To provide recovery assistance” that isn’t already trained through the CPR & First Aid Certification is beyond the scope of practice for Caregivers to access if a fallen resident is injured or noninjured “before the arrival of Emergency Medical Services.” A RN, NP or Doctor are the only medical professionals licensed to do medical assessments. The Arizona Department of Health Services requires all Assisted Living Homes to immediately call the Residents Representative and Primary Care Physician [R9-10-818D](#). “To be certified in Fall Recovery”, falls under the existing CPR & First Aid Certification. Or is it asking the state of Arizona to create and implement a new certification? Is this Bill asking the Assisted Living Industry to put Older Adults health and Safety at risk and certify caregivers to do medical assessments?

Section 3

We are unaware of any Assisted Living Homes implementing policies to prevent employee’s from performing CPR or Emergency Care Services. The Arizona Department of Health Services requires each facility to have policies and procedures on emergency services and train staff on these policies. [R9-10-803C](#), The NCIA requires the Curriculum for Assisted Living Facility Caregiver Training Programs to have at least 2 classroom hours on Fire, safety, and emergency procedures, a. Emergency planning, b. Medical emergencies, c. Environmental emergencies, d. Fire safety, e. Fire drills and evacuations, and f. Fire-code requirements; [R4-33-703-C-8a-f](#)

How is this Bill solving the problem with excessive 911 Calls? Its NOT. This is an education issue not a legislation issue.

Statistics

Attached is the only report I could find with statistics on Emergency calls. I could not seem to find any statistics with NEMSIS for Arizona. The [Emergency Medical Services 2019 Annual Report](#) does not even have Phoenix in the Maricopa statistics. These statistics do not show whether the calls were made from home or a facility, nor does it show if there was a DNR in place and if CPR was performed before the arrival of EMT's.

The statistics does show however that 43.13% of 911 calls were 65+ of which 0.4% were on scene deaths of which 53.01% were 65+

Also shows

0.87% calls were for Cardiac Arrest of which 55.84% passed away

Cost of Care

Currently the median cost of care in Assisted Living is private room \$3500/month. In a Skilled Nursing Facility where there is RN 24/7 is a median of \$9,338. That’s over \$5,500/month increased in the 51, 351 beds available in Assisted Living. That’s an increase of around \$280,000,000 (**two hundred and eighty million**) per year in care that Older Adults must pay. State programs like Medicaid; ALTCS (Mercy Care, Banner, United, Care 1st) will incur a lot of this cost as well. ALH’s have already started a petition for ALTCS rate increases because they are too low. How will any Care Home survive this bill? They won’t. The cost of operating a 5 bed ranges from \$10,000-\$14,000. Payroll alone for awake staff facilities starts at \$8064/month. A 10 bed with 2 caregivers and awake staff starts at \$16,000 (not including payroll taxes and workers comp). ALTCS residents pay an average of \$1,800-\$3,000/month. Unless the owners of the smaller Assisted Living Facilities are extremely financially savvy and very greedy, they just get by or struggle tremendously with costs (especially if they are not at capacity).

Conclusion

So 1/4 of 1% of Older Adults passed away in Arizona last year from cardiac arrest where CPR may or may not have been done by a Family Member, Good Samaritan, Friend, Stranger or Caregiver? *I don't understand how a bill like this could even reach a House Committee. Many will continue to oppose this Bill.*

Resources

[Azdhs.gov/Article 8 Assisted Living](#)

[NCIA Board Title 4 Chapter 33 Board of Examiners for Nursing Care Institution Administrators and Assisted Living Managers](#)

[Redcross.org/take-a-class/cpr](#)

[Older Adult Falls Seen by Emergency Medical Service Providers](#) (statistics for Arizona)

[Letter supporting the Bill](#) (Steve Wagner)

[Letter Opposing the Bill](#) (Rocky Mckay President, AALHA & Gaile Dixon Policy Chair, AALHA)

[Letter Opposing the Bill \(Arizona Leading Age\)](#)

Who we've contacted so far:

AARP, AHCCCS, Arizona ALTCS: Mercy Care & Banner, Arizona Department of Health Services, Arizona Governor's office (meeting 2/10/20), Attorney General's Office, AZ Board of Occupational Therapy Examiners, AZ Central, AZ Commerce, AZ Corporation Commission, AZ Hospital & Healthcare Association, AZ State Board of Physical Therapy, AzCEP, Board of Behavioral Health Examiners, Board of Nursing, Department of Emergency and Military Affairs-Legislative Affairs, Dispatch Health (Mobile Urgent Care), Every local news channel, Foundation For Senior Living, Governor's Regulatory Review Council, Kyrsten Sinema's office, Naturopathic Physicians and Medical Board, National CPR Association, NCIA Board, Networking Arizona on KNFIX, NFIB, Office of Individual and Family Affairs, Ombudsman Citizens' Aide, Public Safety Personnel Retirement System, Rep Anthony Kern (many industry professionals sent emails), Rep Nancy Barto, Scheduled Meeting with Martha McSally's Office, Solace Hospice, Solving Life's Next Chapter podcast, The White House, US Dept of Labor...

