

Wisconsin Association of Homes and Services for the Aging, Inc.

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March 31, 2010

To: Senator Tim Carpenter, Chair
Members, Senate Public Health, Senior Issues, Long-Term Care and Job Creation Committee

From: John Sauer, Executive Director
Tom Ramsey, Director of Government Relations

Subject: **2009 Senate Bill 594 -- WAHSA Position: "No Position"**

The Wisconsin Association of Homes and Services for the Aging (WAHSA) is a statewide membership association of 184 not-for-profit organizations which provide long-term care services to the elderly and persons with a disability. For purposes of Senate Bill 594, WAHSA members own, operate and/or sponsor 183 not-for-profit nursing homes, of which 41 are county-owned/ operated and 7 are municipally-owned/ operated, as well as 77 community-based residential facilities (CBRF) and 4 adult family homes (AFH).

2009 Senate Bill 594 would require nursing homes, CBRFs and AFHs which advertise or market themselves as providing special care or services to persons with Alzheimer's disease to produce an Alzheimer's special care disclosure statement which would outline just what is "special" about the care they provide residents with Alzheimer's disease or related dementia.

SB 594 is the companion bill to Assembly Substitute Amendment 1 to 2009 Assembly Bill 259 (ASA 1 to AB 259). **On January 28, 2010, the Assembly Aging and Long-Term Care Committee defeated ASA 1 to AB 259 on a 3-4 vote on recommendation for passage.**

WAHSA members believe there is no need for SB 594. The Department of Health Services (DHS) Division of Quality Assurance (DQA) has ample regulatory authority to monitor and enforce quality in special care units for residents with Alzheimer's disease or related dementia and there is no indication that inadequate care is being provided at these facilities.

While supporting the bill's intent to better inform consumers, WAHSA members believe a SB 594-type disclosure statement should be voluntary rather than mandatory. They suggest **a better approach to providing consumer education would be to direct the DHS to produce or suggest it produce (or have the Alzheimer's Association produce) a guide for choosing an Alzheimer's special care unit or a facility providing special care services for Alzheimer's residents** similar to the consumer guide the DHS produces for choosing a nursing home ("Guide to Choosing a Nursing Home" at <http://www.medicare.gov/Publications/Pubs/pdf/02174.pdf>) or an assisted living facility ("Choosing an Assisted Living Facility" at <http://dhs.wisconsin.gov/publications/p6/p60579.pdf>).

Having stated that, however, if a bill must pass, WAHSA would not oppose the adoption of SB 594. Most of the concerns we had with the original Assembly bill (AB 259) were addressed in ASA 1 to AB 259 and in SB 594. In appreciation of those changes, WAHSA removed its initial opposition to AB 259 and will not oppose SB 594. However, because they still don't see the need for this bill, WAHSA members are willing to take a "no position" on SB 594 but not support the bill.

Thank you for this opportunity to comment on SB 594.

