

# PUBLIC POLICY AGENDA

## Policy Principles and Recommendations

### I. **Individuals receiving long-term care, services and supports (LTCSS) must receive person-centered services and supports to ensure quality care and quality of life**

1. Support and advocate to enhance an acuity-based minimum **staffing standard**, 24/7 onsite registered nurse, and a full-time infection preventionist in nursing homes.
2. Promote **high-quality LTCSS jobs** – including increased wages, benefits, pathways for advancement, and necessary **training** for workers that promotes person-centered care and equips staff to effectively and competently provide care and supervision.
3. Advocate for policies that prevent, reduce, or eliminate **elder abuse**, neglect, and exploitation, including:
  - a. Reducing the inappropriate use of **antipsychotic medications** and other psychotropic drugs.
  - b. Ensuring prompt **investigation** of allegations **of abuse** and efforts to support victims of abuse.
  - c. Support advocacy and training around preventing and responding to **retaliation** against residents, families, and staff.
4. Support access to **palliative and end of life care**; honoring treatment preferences and wishes.
5. Advocate to **preserve, fully implement, and enforce** current LTC standards and regulations as contained in the Nursing Home Reform Act.
6. Advocate for policies that improve **emergency preparedness** and the safety of long-term care consumers during emergency situations, including:
  - a. A requirement for sufficient, trained **staff** to carry out the emergency plan.
  - b. Oversight of the adequacy and implementation of long-term care facilities' emergency plans.
  - c. Require coordination with **emergency management systems**.
  - d. Ensure **access to vaccines** for all long-term care consumers and staff.
  - e. Prioritizing long-term care facilities in **emergency response** activities.

## II. Promote comprehensive LTCSS reform and equitable access to LTCSS in the setting of the individual's choice.

1. Advocate to eliminate **Medicaid** preference for institutional settings, including expansion of Home and Community Based Services, Medicare Home Health Services, and permanent expansion of the Money Follows the Person program
2. Oppose any efforts to cut, cap, or block grant Medicaid.
3. Protect against **Medicaid discrimination in nursing homes**; work to eliminate distinct part certification in nursing homes.
4. Support the elimination of **Medicaid estate recovery**.
5. Promote quality standards, eviction and closure protections, and promotion of rights and person-centered care in **assisted living and HCBS**.
6. Promote policies and practices that remove barriers to care and that identify and **address existing inequities** in LTCSS.
7. Support exploration of **new LTCSS models**, including household models, that promote privacy, person-centered care and activities, and infection control.
8. Advocate for an increase in the federal **Personal Needs Allowance**.

## III. Require transparency of information and accountability for care quality and use of public funds

1. Advocate to strengthen and sufficiently fund the **survey and enforcement** system to provide at least annual inspections of all long-term care facilities, prompt response to complaints, oversight of quality improvement efforts, and meaningful enforcement for substandard care.
2. Promote requirements for **transparency and accountability** around how **Medicare and Medicaid dollars** are spent on LTCSS, including:
  - i. Auditing of facility cost reports;
  - ii. Requiring submission of consolidated cost reports;
  - iii. Public access to Medicare and Medicaid cost reports.
3. Advocate for increased transparency and consumer **access to quality data** in assisted living and HCBS settings.
4. Advocate for increased transparency about **nursing home owners/operators** and enhanced criteria for owning/operating a LTC facility.
5. Advocate for a requirement that a **percentage of facility revenue** be spent on direct care.
6. Support the full implementation of the **HCBS Settings and Access rules**.

#### IV. Promote and protect consumer rights, decision-making, and self-advocacy

1. Promote independent, effective **resident and family councils**.
2. **Support family caregivers** in all settings by equipping them with information, resources, and advocacy support.
3. Advocate for ensuring **informed consent** prior to the administration of psychotropic medications.
4. Support LTCSS consumer-driven **access to technology** that promotes safety and autonomy.
5. Advocate for policies that provide nursing home residents' access to **essential caregivers** at all times in the event of public health emergencies.
6. Oppose efforts to limit or restrict LTCSS consumer access to civil justice, including through forced **pre-dispute arbitration** and unreasonable **limits on damage awards**.
7. Promote the need for **comprehensive consumer rights** in **assisted living and HCBS**.
8. Advocate for full implementation of **transfer-discharge protections** for nursing home and assisted living residents.
9. Promote policies around **nursing home closures** that promote resident choice, accommodation of needs and preferences, and minimize negative response or transfer trauma.
10. Advocate for increased availability of easy to understand, high-quality data on **Medicare's Care Compare** website.

#### V. Promote consumer access to advocacy

1. Advocate for Reauthorization and implementation of the **Older Americans Act** (OAA) to include amendments that preserve and strengthen elder rights, such as the **Long-Term Care Ombudsman Programs** (LTCOP).
2. Advocate for **sufficient funding for the LTCOP** to meet the current mandates of the OAA and **for the National Ombudsman Resource Center** to successfully equip LTCOPs with training, technical assistance, resources and information, and research to effectively advocate for residents of long-term care facilities.
3. Advocate for **expansion of the LTCOP** into HCBS settings with adequate funding for full and effective implementation.
4. Support reauthorization and full funding of the **Elder Justice Act**, which provides funding for APS and LTCOP, invests in the workforce, and addresses social isolation among older adults.