



SENATE PUBLIC HEALTH, WELFARE & SAFETY

EXHIBIT NO. 3

DATE: 4-1-5

BILL NO. HB 704

April 1, 2005

Dear Senator,

As it appears now, I will probably not be able to testify on HB 704 this afternoon due to other commitments. Since my facility is one that has been severely affected by the speed the IDR process takes, I feel strongly that a time limitation needs to be established for IDR decisions. If you are given an LJ deficiency, all penalties apply until such time as a final decision is made. In our case the IDR was completed on October 13th and a decision was not made until February 16th. Since the Department of Health did not agree with the judges ruling to substantially lower the severity, it is now in the hands of CMS. It will probably a minimum of 7 months that our facility will wait for a final ruling. Besides the negative publicity and stress created by an LJ, a small rural facility depends on training CNA's and this is prohibited until a final verdict is established. So if a Nursing facility is deemed guilty until proven innocent, a timely decision is only fair. For that reason, please pass HB704

Robert Bonato

Administrator