

Chairman Perry and Members of the Committee.

SENATE JOURNAL
COMMITTEE NO. 12
DATE 2/11/11
SB154

For the record, my name is Vanessa Fitchett, I am a Regional LTC Ombudsman with Area VI Agency on Aging in Polson. I am here to testify in support of funding for the Aging Network and Ombudsman services from SB154.

Ombudsmen are advocates for people residing in long-term care settings. In Montana we currently have 131 nursing homes/Critical Access Hospitals and 191 Assisted Living facilities. There are over 12,500 long-term care beds in Montana. These facilities range from Ekalaka to Eureka; Dillon and Hamilton to Scobey and Plentywood.

Long Term Care Ombudsmen are hired by Area Agencies on Aging. Within the Area Agencies there are only 13.64 Full-time equivalents statewide to:

1) provide monthly facility visits to meet with residents; 2) investigate and resolve complaints on behalf of the residents and/or their legal representatives; and 3) inform the residents and family members of ways to obtain the services for which they are entitled.

With the increase of 52 Assisted Living facilities in the last ten years, there has been an increased demand for Ombudsman services. The number of cases the Ombudsman investigates every year has increased exponentially as the number of facilities in the state increases.

The responsibilities of the Ombudsman program require that time be spent in direct contact with the consumer living within a long-term care facility. Ombudsman mileage over the past year exceeds 300,000 miles in order to provide the facility visits and complete the investigations.

The Ombudsman program received a complaint of involuntary discharge issued to a severely disabled woman residing in a nursing home facility. The discharge was issued due to non-payment of her bill. The resident was confused; she had over \$100,000 in the bank and expected her daughter, who was power of attorney, to pay her bills. She contacted her local long term care ombudsman. Over a year later and after the Ombudsman program investigated and worked with Medicaid Fraud, Adult Protective Services and the County Attorney's office, a conviction was obtained. The resident's daughter had drained the money from the resident's bank account, stolen assets, liquidated IRA accounts and transferred land titles into the daughter's name. In late 2010, the daughter accepted a plea bargain and was found guilty of Felony exploitation of an elderly person and ordered to pay restitution. She is on probation for 5 years. Without the Ombudsman services, this resident would have been discharged for non-payment and the daughter would have gotten away with her crime.

With the increase in complexity of cases and the related increase in time, along with increased travel costs, additional funds will help assure prompt investigation and resolution of cases.

Thank you for giving your consideration to funding the aging network.