

Madame Chairwoman, and members of this Committee, my name is Lisa Buchweitz from Langdon. I am here today to give my support to SB 2145. I am also here to testify on behalf of my Mother and all others who are residents of long term care facilities. The restrictions that have been forced upon them in the name of “protection” have been over reaching and detrimental.

My Mom is 92 years old. She suffers from dementia. In early March of 2020, her facility went into lock down due to Covid-19, about a week ahead of CMS QSO-20-14 restricting visitation. On April 6<sup>th</sup> Governor Burgum issued executive order 2020-22 doing the same.

My Mother’s condition had been kept somewhat in check by maintaining established routines. Regular visits at approximately the same times helped keep her world predictable and in balance. That was destroyed with the implementation of Covid restrictions. This past year has been a true emotional roller coaster ride for my Mom and so many others. I have had numerous phone calls from her in tears, not understanding why her family has abandoned her, saying that she might as well be dead! My Mom hasn’t had a proper hair cut in a year! Can you imagine how that affects her dignity? And no matter how caring staff may be, they cannot replace family. They don’t know the residents history or what may drive certain behaviors. . Essentially, I was removed from my Mother’s life and the care plan process. And I have been raising hell since March of 2020 to make sure I have as much input as possible in my Mom’s care.

I fully recognize the role CMS has played in this situation, but this bill is truly the best place to start to right the wrongs that have been done against our loved ones by the States interpretation of those guidelines.

On June 5<sup>th</sup> Executive order 2020-22.1 was issued establishing the Vulnerable Population Protection Plan (VP3) covering not only skilled nursing facilities but also basic care and congregate living facilities.

Shortly after, I became involved with the Reuniting Residents and Families Task Force. We had conference call meetings on June 6<sup>th</sup>, June 10<sup>th</sup>, June 18<sup>th</sup> and July 20<sup>th</sup>. In addition to people like me advocating for their loved one, these calls included Chris Jones, Seth Fisher, Shelly Peterson, and Tim Wiedrich and other officials. Also very much involved is Chris Larson as lead for the family part of the task force. In many ways I feel this task force was partly implemented to “shut

up” the many people like myself who felt that residents rights had been completely overran under the guise of “protecting” them. I feel this way because it quickly became apparent that aside from uttering a few sympathetic words, there was no intention of this team doing anything about any of our concerns. It was their way or the highway, period. As far as I know, only the definition of “compassionate care” was redefined and that alone took way longer than it should have. Yet the Long-term Care Guidance issued by the State says input was used from key stakeholders, including the Reuniting Families Task Force. From my perspective this is not true.

From the beginning I asked to be able to test for Covid-19 in order to be able to visit my Mom. A “pilot program” was initiated at one facility and apparently nothing ever came of it because I have never heard anything about it since. What happened with that? Is it because it did actually work that nothing ever came of this program? In fact, this task force hasn’t had a meeting since July 20<sup>th</sup>! From the get go, we advocated for a designated caregiver to be implemented. Many other states have had this in place for months already and they are under the same Federal restrictions as we are. IT’S NOT THAT DIFFICULT.

I would also like to know why did tens of thousands of rapid tests sit in a warehouse for months after receiving them. And why were nursing home facilities not allowed to use them after receiving them? But now all of a sudden they are supposed to use them, quickly! These tests could have been used to facilitate more family visitation. So much more could have been done for our loved ones!

Today the State mask mandate expired. Except not for basic care nursing homes and assisted living facilities as Executive order 2020-22.1 will still apply. Apparently the Governor and the VP3 Team doesn’t feel if you live in a basic care facility or assisted living that you are also a citizen with rights? This is overreach, plain and simple. Let the residents and their families decide what is best for them. The State also should not be issuing guidelines that extend beyond the CMS guidelines and nursing homes should also stick to those guidelines and not go beyond.

In closing, I ask this question of all of you. If you were 92, which would you chose? Spending what time you have left here on this earth with your family? Or

spending hours alone, eating alone, limited contact even with other residents, to be “safe”. I know what my choice would be, and I know what my Mom’s choice would be also.

I am asking the members of the committee to please support this bill. Thank you.

This is my sworn testimony.

Lisa Buchweitz  
510 17<sup>th</sup> Avenue  
Langdon, ND 58249  
701-370-8513