

Testimony Relating to Rights of Health Care Facility Residents
Senate Human Services Committee
January 14, 2025
Senate Bill 2070

Chair Lee and members of the Senate Human Services Committee, my name is Robert Sheckler, and I am the administrator at Strasburg Care Center in Strasburg. Thank you for the opportunity to testify in opposition to Senate Bill 2070.

Please let me express that I appreciate and respect Resident Rights and certainly want to preserve and protect them. With that said, I have a few concerns regarding Senate Bill 2070. As you know, our facility is located in a very rural area. Our closest service hospital is a Critical Access Hospital. Critical Access Hospitals are not required to be staffed 24/7/365 with a physician. Instead, they must have a physician available to consult with. Thus, when we call the provider on call, it is oftentimes a mid-level practitioner instead of a physician. One of the primary providers in our facility is a Nurse Practitioner, who knows our residents very well.

An area of concern I have is addressed in Section 2, item 10, page 8, line 29, which requires that physical or chemical restraints that may be needed in an emergency must be authorized by a physician. This presents a problem, in that we would be mandated to have the hospital pass the information on to the on-call physician, so we can get the necessary order. In turn, the emergent situation is left unchecked and staff and other residents may be endangered.

In conclusion, while we appreciated the opportunity to collaborate and review suggested Resident Rights changes earlier this year with the Long-Term Care Ombudsman, this current bill includes multiple provisions that were not part of those discussions. Additionally, many of these proposed changes are already addressed in existing regulations for skilled nursing facilities and would not be appropriate or practical for assisted living, basic care, or swing bed settings, which this section of the law also governs.

We respectfully urge the committee to consider these concerns and grant us time to collaborate with the Long-Term Care Ombudsman prior to this bill moving forward. This will give us time to try and reach consensus on the areas of concern, so we can ensure that any changes to the law are tailored to the unique needs of the care settings covered in this section. Thank you for your consideration.

A handwritten signature in black ink that reads "Robert Sheckler" with a decorative flourish at the end.

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