

**1999 SENATE HUMAN SERVICES**

**EB 2034**

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2034

Senate Human Services Committee

Conference Committee

Hearing Date JANUARY 13, 1999

Tape Number	Side A	Side B	Meter #
1		X	1,034
2	X		1,045
Committee Clerk Signature <i>Barb Kolodziejchuk</i>			

Minutes:

The hearing was opened on SB2034.

SENATOR KRAUTER presented the interim committee action from the minutes. 1997 amendment allowed for pilot Alzheimer project in Baptist Home, Kenmare. They have 14 beds at \$12.11 per day for room and board and \$67.26 per day for residential care service there. Bill will allow pilot projects to get good impact on financial statistics. We toured the facility and came away with good feelings that this is the way to go. SENATOR KILZER asked if these units are pilot projects starting from scratch or are they making use of those in existence.

SENATOR KRAUTER stated that our understanding was use of existing beds. There was a need in the community - utilizing the facility to its potential. Also did a visit to St. Vincent.

PAUL KRAMER, department staff, explained the bill. It basically continues pilot projects for another biennium. Section 1 repeals the pilot projects July 1 in 2001. Section 2 has the Dept

monitor the pilot projects and report to a committee in the year 2000. SENATOR THANE toured the facility in Kenmare. It is very nice, one on one attention from staff. They are enjoying what they were doing, whatever they could.

DAVE ZENTNER, Dept of Human Services, gave the committee information and supports the bill with written testimony. Offered an amendment to allow the development of additional pilot projects on recommendation of legal council. SENATOR DEMERS asked why we have to amend when it isn't effective until 2001. Mr. ZENTNER will check on it.

JOHN VASTAG, General Manager of Waterford at Harwood Groves, testified in favor of SB2034 in written testimony. Recommended an amendment to include assisted living facilities in addition to current licensed basic care and nursing facilities. SENATOR DEMERS asked if they were now mainstreaming or had special units. Mr. VASTAG answered they had special areas with residential. There are several design things built in. SENATOR THANE asked if there was a plan where they would go when no longer can be in Waterford. Mr. VASTAG stated they were a full continuing care. Sioux Falls contracts with nursing home. SENATOR THANE asked if it would fit into the pilot project. Mr. VASTAG stated that currently they could not because they are not licensed. SENATOR LEE: Choice of residential may not be connected to more intensive care. SENATOR DEMERS stated the original bill was not for the early stages, but the advanced placement. SENATOR LEE asked if Kenmare is advanced. SENATOR THANE stated there were several level at Kenmare. Mr. ZENTNER stated that they have a scale and most of the individuals scored 0 so we are talking about people in advanced stages and are doing very well.

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Senate Human Services Committee

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DONNA NALAWJA, Waterford. supports bill in written testimony. Would like to see it with an emergency clause.

No opposition. The hearing was closed.

The bill was discussed. SENATOR DEMERS moved a DO PASS. Seconded by SENATOR

FISCHER . Consideration of amendments presented by testimony. The law is on the books until

July, 2001. Don't think it is necessary by law.

Roll call vote was taken; it passed 6-0. SENATOR FISCHER will carry the bill.

# FISCAL NOTE

(Return original and 10 copies)

Bill / Resolution No.: SB 2034

Amendment to: \_\_\_\_\_

Requested by Legislative Council

Date of Request: 12/10/98

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

Narrative: This bill would require the department of human services to monitor the progress of alzheimer's and related dementia projects and to present a final progress report. The monitoring and progress report are duties that can be assumed by current staff and therefore, there would be no fiscal impact.

2. State fiscal effect in dollar amounts:

	1997-1999		1999-2001		2001-2003	
	<u>Biennium</u>		<u>Biennium</u>		<u>Biennium</u>	
	General	Special	General	Special	General	Special
	<u>Fund</u>	<u>Funds</u>	<u>Fund</u>	<u>Funds</u>	<u>Fund</u>	<u>Funds</u>
Revenues:						
Expenditures:	-0-		-0-		-0-	

3. What, if any, is the effect of this measure on the appropriation for your agency or department:

- a. For rest of 1997-99 biennium: -0-
- b. For the 1999-01 biennium: -0-
- c. For the 2001-03 biennium: -0-

4. County, City, and School District fiscal effect in dollar amounts:

	1997-1999			1999-2001			2001-2003		
	<u>Biennium</u>			<u>Biennium</u>			<u>Biennium</u>		
	Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>

If additional space is needed, attach a supplemental sheet.

Signed

Brenda M. Weisz

Typed Name

Brenda M. Weisz

Date Prepared: January 4, 1999

Department

Human Services

Phone No.

328-2397

Date: 1/13/97  
Roll Call Vote #: 1

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. SB 2034

Senate HUMAN SERVICES COMMITTEE Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Sen DeMers Seconded By Sen Fischer

Senators	Yes	No	Senators	Yes	No
Senator Thane	✓				
Senator Kilzer	✓				
Senator Fischer	✓				
Senator Lee	✓				
Senator DeMers	✓				
Senator Mutzenberger	✓				

Total 6 (yes) 0 (no)

Absent 0

Floor Assignment Sen Fischer

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)  
January 13, 1999 4:13 p.m.

Module No: SR-07-0571  
Carrier: Fischer  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**SB 2034: Human Services Committee (Sen. Thane, Chairman) recommends DO PASS**  
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2034 was placed on the  
Eleventh order on the calendar.

**1999 HOUSE HUMAN SERVICES**

**SB 2034**



1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2034

House Human Services Committee

Conference Committee

Hearing Date February 9, 1999

Tape Number	Side A	Side B	Meter #
1		X	5.4 - 23.9
Committee Clerk Signature <i>Susann Lindsteigen</i>			

Minutes:

PAUL KRAMER, Legislative Council, Interim Budget Committee on Long Term Care, explained the bill. Section 1 repeals section 50-06.14.4. Section 3 delays the repeal until July 1, 2001. Section 2 is added that the department is to monitor the progress of the projects and report to Legislative Council by June 30, 2000. The reason for the bill was that the pilot projects that were established, one was up and going and the committee toured it at Kenmare. The committee felt there wasn't enough to fully evaluate the effectiveness of the pilot projects. They wanted to continue it for one more biennium and then take another look at it.

DAVID ZENTNER, Director, Medical Services, Department of Human Services, testified (Testimony attached).

Rep. CAROL NIEMEIER asked how many additional projects do you anticipate? DAVID ZENTNER stated its unknown how many there might be. But we know of several that are

interested, i.e., two Carrington facilities in New Rockford who have done some planning together and they are looking at taking one of the nursing homes and converting into what we would call living basic care facility.

SHELLY PETERSON, ND Long Term Care Association, testified we are very supportive of this legislation and hope that you will give it a do pass. Introduced Paulette Mattern.

PAULETTE MATTERN, Administrator, Baptist Home, Kenmare, testified (Testimony attached).

Rep. AMY KLINISKE asked what is your staff turnover rate? PAULETTE MATTERN stated we had increased our staff at a high rate because as we added residents to the unit, we added staffing. In eight months time, we really haven't had any turnover yet. We work hard on training staff on our program with Alzheimer's people.

Rep. PAT GALVIN commented about the resident who rocked her baby. PAULETTE MATTERN explained the challenge for staff to adapt to residents who come from various backgrounds and professions. Rep. PAT GALVIN asked what is the range of the resident's ages? PAULETTE MATTERN stated its from people in their late 50's to mid 90's.

Rep. SALLY SANDVIG asked how many staff persons do you have per resident? PAULETTE MATTERN stated there is two staff persons on board at all times. So its 2 to 11 residents.

Rep. ROBIN WEISZ asked approximately how much are you saving versus skilled care with this facility? PAULETTE MATTERN stated I'm not sure. The daily rate is around \$79 and \$85 per day. It's quite a savings from being in a skilled care setting.

Rep. ROXANNE JENSEN asked does everyone there have a diagnosis of Alzheimer's?

PAULETTE MATTERN stated Alzheimer's or dementia related.

DAVID ZENTNER stated to give the committee an idea of the cost differential, I believe, the average cost for nursing home care runs about \$97. Rep. CLARA SUE PRICE asked do you know the range from top to bottom? DAVID ZENTNER stated not specifically. Each facility has their own, one of thirty-four rates.

OPPOSITION

None.

Rep. CLARA SUE PRICE asked how many different forms of dementia that are there? What is the approximate percentage of people that are admitted now to the nursing homes with Alzheimer's or dementia? SHELLY PETERSON stated I believe that there are 78 different types of dementia, Alzheimer's being one. The various types are alcohol related dementia, head injury related dementia, a great variety. Rep. Rose would be more knowledgeable on that.

Conservatively, in looking at the federal data at least half of them have some type of dementia. As we look at facilities and look at their population, they sometimes believe that about 80% of them have some type of dementia or, at least, something that inhibits a person's ability to function cognitively and fully.

Rep. CAROL NIEMEIER asked does the department provide funding assistance for these pilot programs that you are establishing? DAVID ZENTNER stated yes. We primarily were using the waiver program for the elderly and disabled. Those are individual who ordinarily would be in the nursing home. Three out of eleven are Medicaid supported.

Hearing closed.

Rep. BLAIR THORESON moved DO PASS.

Rep. PAT GALVIN second the motion

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House Human Services Committee

Bill/Resolution Number SB 2034

Hearing Date February 9, 1999

Further Committee Discussion.

Rep. WANDA ROSE commented on a positive note that we're increasing the amount of time that there is a follow through and an evaluative component to this particular pilot project.

ROLL CALL VOTE #5: 15 yeas, 0 nays, 0 absent

CARRIER: Rep. ROXANNE JENSEN

Date: 2-9-99  
 Roll Call Vote #: 5

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
 BILL/RESOLUTION NO. 2034

House Human Services Committee

Subcommittee on \_\_\_\_\_  
 or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Blair Thoreson Seconded By Pat Galvin

Representatives	Yes	No	Representatives	Yes	No
Clara Sue Price - Chairwoman	X		Bruce A. Eckre	X	
Robin Weisz - Vice Chairman	X		Ralph Metcalf	X	
William R. Devlin	X		Carol A. Niemeier	X	
Pat Galvin	X		Wanda Rose	X	
Dale L. Henegar	X		Sally M. Sandvig	X	
Roxanne Jensen	X				
Amy N. Kliniske	X				
Chet Pollert	X				
Todd Porter	X				
Blair Thoreson	X				

Total Yes 15 No 0  
 Absent 0

Floor Assignment Roxanne Jensen

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)  
February 9, 1999 2:32 p.m.

Module No: HR-26-2366  
Carrier: Jensen  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**SB 2034: Human Services Committee (Rep. Price, Chairman) recommends DO PASS**  
(15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2034 was placed on the  
Fourteenth order on the calendar.

**1999 TESTIMONY**

**SB 2034**



January 13, 1999

Chairman Thane, Vice-Chairman Kilzer and members of the Senate Human Services Committee:

My name is John Vastag, General Manager of Waterford At Harwood Groves; a senior living community in Fargo, ND. I am here today to testify in favor of Senate Bill 2034.

As a leading company in the senior housing industry operating in several States, Waterford has committed over \$40 million dollars (of which \$3 million is via the Bank of North Dakota); to seniors in North Dakota.

We fully support the continuation of the Alzheimer's and related Dementia population pilot projects. However, we respectfully request that SB 2034 is amended to include assisted living facilities in addition to current licensed basic care and nursing facilities.

We also respectfully request that the implementation date of this amendment be effective immediately, with the emergency clause amendment to the bill.

Waterford At Harwood Groves is very interested in sharing our expertise in serving seniors with Alzheimer's and related Dementia with the State of North Dakota. We have developed the services to meet the needs of people with Alzheimer's and related dementia in a home like residential atmosphere, while maintaining costs at an affordable level.

Thank-you for the opportunity to submit testimony on this very crucial bill. I will be happy to work with the committee's staff on preparation of these recommended amendments.

Respectfully,

John Vastag  
General Manager  
Waterford At Harwood Groves

*Uniquely Tasteful, Surprisingly Affordable*



CHAIRMAN THANE AND MEMBERS OF THE HUMAN SERVICES COMMITTEE .  
MY NAME IS MARY STROUD, ADMINISTRATOR OF THE BAPTIST HOME OF  
KENMARE. OUR FACILITY IS A PARTICIPANT IN THE ALZHEIMERS  
PIOLET PROJECT.

I WOULD LIKE TO UPDATE EVERYONE ON THE ALZHEIMERS PROJECT.  
WE ARE FULL AT PRESENT WITH A WAITING LIST. IT TOOK US 8  
MONTHS TO ACHIEVE THIS BUT WE FOUND THAT SLOW GROWTH  
ACTUALLY WORKED TO OUR BENEFIT BECAUSE IT ALLOWED US TO GET  
TO KNOW THE RESIDENTS ONE AT A TIME.

I BELIEVE WE ARE MEETING THE GOAL OF THE PIOLET WHICH IS TO  
PROVIDE CARE FOR THE ALZHEIMERS/DEMENTIA CLIENT AT A LOWER  
COST THAN SKILLED CARE IN A HOME LIKE ENVIRONMENT. WE DON'T  
HAVE CHANDELEIRS BUT WE DO HAVE A CASUALLY FURNISHED, HOME  
LIKE ENVIRONMENT WHICH I BELEIVE IS WHY WE ARE SUCCESSFUL.  
SOME OF OUR RESIDENTS LIKE TO VACUUM, SOME OF OUR RESIDENTS  
LIKE TO ASSIST OUR MAINTENANCE MAN WORK ON THINGS.  
ALL OF THEM LIKE TO PARTICIPATE IN THE ACTIVITIES THAT ARE  
OFFERED WHICH RANGE FROM BAKING, TO SINGING, TO CRAFTS.  
ONE OF OUR RESIDENTS LIKES TO ROCK HER BABY IN THE FAMILY  
ROOM AREA. THE WASHING MACHINE AND DRYER RUNS DURING THE  
DAY AS WELL AS THE DISHWASHER. IT IS JUST LIKE HOME.

I WANTED TO TELL YOU ABOUT THE SUCCESSES WE HAVE EXPERIENCED  
WITH SOME OF OUR RESIDENTS BUT THEY ARE SO HARD TO EXPLAIN.  
I WILL MENTION ONE COMMENT OUR FIRST ALZHEIMERS RESIDENT  
MADE TO ONE OF OUR STAFF. HE SAID "THANK YOU FOR NOT  
TREATING ME LIKE A CHILD." EVEN WITH THEIR DIAGNOSIS OF  
ALZHEIMERS, THEY STILL NEED TO EXPEREINCE DIGNITY AND  
RESPECT.

OUR ENVIRONMENT IS PLEASANT BUT NOT OVERSTIMULATING WHICH IS  
WHY I FEEL MANY OF THE RESIDENTS ACTUALLY FUNCTION AT A  
HIGHER LEVEL THAN WHEN THEY ARE ADMITTED.

WE DO HAVE OUR CHALLENGES ALSO. THE STAFF HAVE LEARNED TO  
BE ADAPTABLE TO THE RESIDENTS CHANGING NEEDS. EVERYONE WHO  
WORKS UP THERE IS LEARNING SOMETHING NEW EACH DAY.

BY WORD OF MOUTH, FAMILIES ARE HEARING ABOUT OUR SERVICE AND  
THE TYPE OF PROGRAM WE OFFER SO WE MUST BE DOING SOMETHING  
RIGHT.

I URGE YOU TO CONTINUE TO FUND THIS PROGRAM. IT IS FILLING  
A DEFINATE NEED. NONE OF THE RESIDENTS IN THE UNIT COULD  
LIVE IN A BASIC CARE SETTING NOR WOULD THEY DO WELL IN A  
NORMAL SKILLED CARE ENVIRONMENT. BECAUSE WE ARE NOT HEAVILY  
REGULATED WE ARE ABLE TO SPEND MORE TIME AND ENERGY ON THE  
RESIDENTS AND LESS ON PAPERWORK. THE RESIDENTS ARE  
BENEFITTING AND THAT IS WHAT IT IS ALL ABOUT.

**TESTIMONY BEFORE THE SENATE HUMAN SERVICES COMMITTEE  
REGARDING SENATE BILL 2034  
JANUARY 13, 1999**

Chairman Thane, members of the committee, I am David Zentner, Director of Medical Services for the Department of Human Services. I appear before you today to provide information and support this bill.

As noted in my previous testimony on Senate Bill 2036, the department received approval from the 1997 Legislature to develop Alzheimer's and related demential pilot projects designed to meet the service needs of this group of individuals at a cost not to exceed the amount allowable to be paid through the Medicaid Home and Community-Based Waiver for the Elderly and Disabled. The projects were to explore the financial and service viability of converting existing nursing facility or basic care capacity to a specific service environment that targets this population.

The department approved only one project, that being the conversion of one floor of the Basic Care Facility at the Baptist Home of Kenmare. The facility began operation in May 1998. After six months of operation, the Department along with a representative of the Alzheimer's Association visited the facility. The preliminary review indicates that the project will be a success. However, it was thought that at least one year of information will be needed before a final report can be issued regarding the results of this pilot project.

This bill requires the Department to continue to monitor the progress of this project and provide a final progress report to the Legislative Council by June 30, 2000.

The Department has requested your consideration of an amendment to Senate Bill 2036 that would allow for the development of additional pilot projects to test the adult residential facility concept and allow certain nursing facilities to downsize

**bed capacity. At the present time the language in this bill would repeal section 50-06-14.4. If this section is repealed, there would be no authority to approve any additional pilot projects. The proposed attached amendment will allow for the development of those pilot projects.**

**The Department supports this bill and requests a due pass.**

**I would be happy to answer any questions you may have.**

**PROPOSED AMENDMENTS TO SENATE BILL NO. 2034**

Page 1, line 1, remove "repeal section 50-06-14.4 of the North Dakota Century Code, relating to"

Page 1, line 2, remove "alzheimer's and related dementia projects; to

Page 1, line 4, remove "; and to provide an effective date"

Page 1, remove lines 6 and 7

Page 1, line 8, replace "2" with "1"

Page 1, line 11, remove "final"

Page 1, remove line 12

Renumber accordingly



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January 13, 1999

Chairman Thane, Vice Chairman Kilzer and Members of the Senate Human Services Committee:

For your record, my name is Donna Nalewaja of Fargo and I am employed at Waterford At Harwood Groves. I am here to testify in favor of SB 2034 with an amendment for your consideration.

SB 2034 seeks to continue the authorization by the DHS of the approved Alzheimer's and Dementia population pilot project during this next biennium. I am requesting that the bill be amended to: 1) include and provide other entities like the Waterford At Harwood Groves the opportunity to participate in this important demonstration project and 2) to include the emergency clause for immediate implementation upon passage in the Legislature and the Governor's signature.

The Waterford At Harwood Groves is nearly completed and ready to accept residents for the apartment homes in our state of the art Special Cares wing featuring a beautiful living room/activity center and dining room with kitchen. Our residents would be provided care and assistance to maintain their highest level of independence and dignity that they and their loved ones deserve.

In conclusion, I am in favor of SB 2034 with amendments to provide the opportunity to other entities to participate in the demonstration project and to add the emergency clause. Thank you very much.

A handwritten signature in cursive script that reads "Donna".

Donna Nalewaja

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Lakeside  
Special Care Center



315 2ND AVENUE NW, PO Box 787  
KENMARE, ND 58746  
PHONE (701)385-4941  
FAX (701)385-4215

*"Care In The Christian Perspective"*

February 9, 1999

Chairman Price and Members of the House Human Services Committee. My name is Paulette Mattern, Administrator of the Baptist Home of Kenmare. Our facility is a participant in the Alzheimers Pilot Project.

I would like to update everyone on the Alzheimers Project at our facility. We have named the unit Lakeside Special Care Center because we feel that we have been given the opportunity to care for some very special people.

Our Alzheimers Unit has 12 private rooms for our residents and in January we were completely full but recently one of our first residents to be admitted passed away. It took about 8 months to achieve our goal of filling the unit but we found that slow growth actually worked to our benefit because it allowed us to get to know the residents better, one at a time.

I believe we are meeting the goals of the pilot which is to provide care for the Alzheimers/Dementia client at a lower cost than skilled care, in a home-like environment. The unit is furnished with casual, comfortable furnishings and the atmosphere of the area is quiet, serene and very happy.

A big part of our program is to help the residents to stay active and involved in the activities of daily living that they are still capable of doing. Some of our residents like to vacuum, some enjoy setting tables and clearing away the dishes or loading the dishwasher. One of our male residents enjoys working with our maintenance man and assisting him. All of the residents like to participate in the activities that are offered which range from baking, to singing, to crafts. One of our residents likes to rock her baby in the family room area. It seems to not only keep them active and busy but I believe that it does wonders for their self-esteem. They still need to know and feel that they can be successful and are needed. The washing machine and dryer runs during the day so the sounds and atmosphere are just like being at home.

I also want to take this opportunity to tell you some of the success we have experienced with our residents but they are so hard to explain so I'll just mention this one. One of our first residents was a person that we experienced many challenges with and learned alot about the way to approach someone with Alzheimers. One day he commented to the staff person caring for him "Thank you for not treating me like a child." Even with their diagnosis of Alzheimers, the individual still needs to experience dignity and respect.

Our environment is pleasant but not overstimulating which is why I feel many of the residents actually function at a higher level than when they are admitted.

We do have our challenges also. The staff have learned to be adaptable to the residents changing needs. Everyone who works in the special care unit is learning something new each day. Our motto is: "Blessed are the flexible for they shall not be bent out of shape."

By word of mouth, families are hearing about our service and the type of program we offer so we must be doing something right.

I urge you to continue to fund this program. It is filling a definite need. None of the residents in the unit could live in a Basic Care setting nor would they do well in a normal Skilled Care environment. Because we are not heavily regulated we are able to spend more time and energy on the residents and less on paperwork. The residents are benefiting and that is what is important.

*Paulette Mattern*