

## **Testimony for the Long-Term Care Committee May 6, 2010**

Thank you Chairman Kreidt and members of the Long-Term Care Committee for the opportunity to testify regarding the responsibility for licensure of assisted living. My name is Shelly Peterson, President of the North Dakota Long Term Care Association. We represent assisted living facilities in the state and want to share with you their position regarding licensure.

We recently completed our 2010 convention. During the convention we met with assisted living providers and discussed a number of issues including licensure. All assisted living providers in attendance, representing almost all facilities in the state, overwhelming (100%) support keeping licensure with the Department of Human Services. They believe it is working exceptionally well for them, the public and consumers.

We outlined eight reasons why we support Department of Human Services retaining assisted living licensure at your last hearing. We continue to believe this is the best policy for North Dakota. We believe licensure by the Department of Human Services is the best model because:

1. Assisted living is not a medical model, as those licensed by the Department of Health, but a social model. A social model that provides or coordinates support services to help tenants maintain as much independence as possible.
2. Assisted living tenants live in an individual self contained apartment with an entry door that can be locked. To have a state agency make unannounced visits into a tenant's home would be an intrusion. Today the Department of Human Services respects the privacy and independence of the individuals.
3. Services are individually determined, an arrangement between the tenant and provider. This allows self determination for each person and the licensing entity doesn't dictate what minimum services should be provided.
4. The Department of Human Services currently licenses adult foster homes, very much the same social/family model provided in assisted living.

5. The Department of Human Services currently maintains the registry and standards for Qualified Service Providers (QSP). QSPs are caring for impaired individuals in their own homes. QSPs care for all types of individuals with various income levels. If the department maintains the registry of all QSPs and doesn't further regulate or verify quality of care; why should they not maintain the similar licensing and listing of assisted living facilities? We believe that the role the department fulfills with QSPs and assisted living are similar and should be maintained for both.
6. Renters' rights apply to all individuals living in assisted living. This offers them protection in the renting and leasing of their units. If complaints arise they have all the rights afforded renters.
7. All assisted living tenants have certain rights and responsibilities governed and protected by the North Dakota Resident's Bill of Rights.
8. All assisted living tenants have access to the ombudsman to protect their rights and any grievance they may have. The ombudsman is housed in the Department of Human Services.

In summary we urge you to maintain licensure of assisted living with the Department of Human Services. It is working well. In the 2009 session you adopted a number of requirements for assisted living including training of direct care staff and the administrator. You also supported the requirement that each assisted living facility complete a satisfaction survey every two years. Many have contracted with an independent national company that specializes in satisfaction surveys. We look forward to sharing with you the aggregate satisfaction ratings of tenants during the 2011 session. This concludes my testimony, if you have any questions I would be happy to answer them. Thank you.

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