



Assembly Member **MIKE FEUER**

News Release



FOR IMMEDIATE RELEASE

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SENATE VOTES TO RESTORE PROTECTIONS FOR ABUSED AND NEGLECTED NURSING HOME RESIDENTS

California State Senate Overwhelmingly Approves Feuer Legislation Preserving Ombudsman Funding

July 16, 2009 (Sacramento) – Today the California State Senate approved Assembly Bill 392 (Feuer) with strong bipartisan support on a vote of 33-3. AB 392 would immediately provide \$1.6 million for local Long-Term Care Ombudsman programs over the next year, ensuring protection from abuse and neglect for California's vulnerable and elderly residents of nursing care and assisted living facilities.

“We need to take every step we can to protect seniors who may be at serious risk of abuse or exploitation,” said Assembly member Mike Feuer (D-Los Angeles). “The funds provided to Ombudsman programs in AB 392 fill this important need during the next year. Isolated and vulnerable residents of nursing homes and assisted living facilities have nowhere else to turn, and their lives depend upon these programs being restored immediately.”

Last year, Governor Schwarzenegger vetoed \$3.8 million in funding for local Ombudsman programs, representing about half their funding. As a result of the cuts, the programs have been forced to lay off staff and drastically reduce services, compromising their abilities to investigate complaints and monitor facilities. Since these cuts have taken effect, residents have suffered the dire consequences of unchecked poor treatment.

In late June 2009, a Northern California facility owner and one care giver were arrested on suspicion of criminal abuse and neglect of a resident whose untreated pressure sores were so severe that they resulted in fatal sepsis. After the arrest, the two suspects posted bail and continued to collect payment to provide care for the six other facility residents. Unfortunately, without the funds provided by AB 392, the local Ombudsman cannot investigate how well the remaining patients are being cared for.

Local Ombudsman programs conduct frequent unannounced monitor visits to facilities, and they provide timely response to reports of suspected abuse and neglect. They investigate thousands of abuse cases each year. Without the scrutiny of the Ombudsman programs, the facilities are reviewed just once a year (or less) by government agency inspectors. Because no other program duplicates this critical advocacy service, the passage of AB 392 is especially important for residents' quality of life and quality of care.

The funds for the local programs would come from existing penalties paid by long-term care facilities that have failed to comply with federal laws for the protection of residents, meaning that AB 392 has no General Fund costs.

“California's senior citizens not only bear a disproportionate share of reductions in health and home care services, but they are particularly vulnerable to abuse,” said Assemblymember Dave Jones (D-Sacramento), a joint author of the bill. “This is not the time to rollback the oversight and protections provided by the Long-Term Care Senior Ombudsman program, or to silence the voices of seniors. I am pleased to join Assembly member Feuer in authoring AB 392 and speaking out to protect funding for this invaluable program.”



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California's population of adults over 60 is projected to grow to 6.5 million by 2010 and up to 9 million by 2020. As Californians grow older, it will be especially necessary to make sure that the long term care facilities that serve this population are properly monitored and complaints investigated.

Assembly member Feuer has fought for nursing home patient rights since serving as Executive Director of Bet Tzedek Legal Services, the House of Justice. During his tenure, Bet Tzedek provided free legal representation to more than 50,000 primarily aging or disabled clients on elder abuse, nursing home patients' rights, Holocaust restitution, slum housing conditions, access to medical care, consumer fraud and other critical issues.

Assembly member Mike Feuer's website: <http://www.assembly.ca.gov/a42>

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