



Governor Ned Lamont State of Connecticut



FACT SHEET
2024 Legislative Session

HOUSE BILL 5046 *AN ACT PROMOTING NURSING HOME RESIDENT QUALITY OF LIFE*

The Problem

While many nursing homes provide good care, others have struggled to meet the quality and safety standards residents deserve. Lapses in quality care can lead to the spread of infection, bed sores, medication errors, and abuse and neglect findings. In 2022, the state received 4,278 complaints from nursing home residents regarding the care they received, a 38% increase from 2017.¹ The risk for nursing home residents is especially grave during times of a nursing home closure, when the quality of care can deteriorate quickly as nurses and other direct care staff leave for other jobs, and frail and elderly residents are forced to relocate from their homes under traumatic circumstances.

Assisted living facilities are another core service within the long-term services and supports continuum. They offer a degree of independence and help with basic tasks. While assisted living settings can be an appropriate option for many older adults and individuals with a disability, residents can struggle with unexpected fee increases or costs and, for some residents, the level of care needed exceeds what those facilities can provide.

Connecticut must promote a system of care that rewards quality nursing homes, strengthens transparency, promotes industry-leading practices, and holds poor performing homes accountable. We must also ensure that nursing home closures occur with minimum disruption in resident care and safety.

Governor Lamont's Solution

The Governor proposes a combination of measures that will strengthen quality, promote industry best practices, provide consumers and family caregivers greater transparency in selecting the appropriate levels of care, and enhance enforcement tools.

¹Carlesso, J., Altimari, D., & DeBenedictis, G. (2023, April 3). Connecticut's nursing homes are at a crossroads. Here's what's going on. CT Mirror. <https://ctmirror.org/2023/04/03/ct-nursing-homes-elder-care/>

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The proposal will promote infection control and enhance dignity for residents by sunsetting three- and four-bed nursing home rooms to mitigate infection control issues and improve residents' dignity, privacy, and overall quality of life. Coming out of the pandemic, where infection spread quickly through congregate sites, this bill proposes that no new residents be assigned to rooms with more than two beds beginning July 1, 2025, and that no residents inhabit a room with more than two beds by July 1, 2026.

The legislation will also incentivize quality and promote transparency with a proposal to design and assess the feasibility of a new Center of Excellence model through \$250,000 in ARPA funding, that aims to encourage high-quality standards in nursing homes that meet or exceed an individual's needs as opposed to a system that only creates minimum standards and penalties. Together with industry leaders, consumer and family advocates and direct care workers, the Department of Public Health will assess state best practices and opportunities to leverage federal funding in designing incentives that promote responsiveness to inspections and complaints, implementation of course-correction plans, and greater social well-being for residents.

To promote industry transparency and leading practices, the Governor proposes the development of a nursing home dashboard through \$500,000 in ARPA funding. This consumer-facing tool will help individuals and families track complaints, compare nursing home quality, and review recent health safety violations and staffing levels. Improving the transparency of facilities' quality-of-care will allow consumers to have informed choices when selecting the nursing homes that best fit their needs, as well as help Connecticut rebalance by reducing the number of lower-quality homes over time. Additionally, the dashboard will provide transparency for the industry as nursing homes seek to learn and incorporate industry-leading best practices.

The bill also implements critical consumer protections: strengthening consumer disclosures on fees, avoiding unexpected costs, and requiring refunds in assisted living facilities when a community can no longer meet a client's needs.

Oversight provisions include strengthening nursing home standards to modernize quality oversight and enforcement tools:

- New authority to enforce corrective plans of action
- Accountability over nursing facility management companies
- Establishing one clear and consistent licensure nursing home license category by repealing an antiquated category that offers inferior care
- Ability to order a forensic audit of nursing home financials under certain circumstances

Nursing homes that close can present challenges for residents, and the bill protects residents by ensuring that residents maintain continuity of care and have meaningful options to transfer to a new home close to their relatives. The bill also expands the limited pool of receivers by revising the requirements to focus on needed skills and core competencies, rather than only technical requirements.