

SENATE FINANCE COMMITTEE
April 13, 2017
1:34 p.m.

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CALL TO ORDER

Co-Chair MacKinnon called the Senate Finance Committee meeting to order at 1:34 p.m.

MEMBERS PRESENT

Senator Lyman Hoffman, Co-Chair
Senator Anna MacKinnon, Co-Chair
Senator Click Bishop, Vice-Chair
Senator Shelley Hughes
Senator Peter Micciche
Senator Donny Olson
Senator Natasha von Imhof

MEMBERS ABSENT

None

PRESENT VIA TELECONFERENCE

Teresa Holt, Long Term Care Ombudsman, Anchorage; Kelda Barstad, Manager, Adult Protective Services, Division of Senior and Disability Services, Department of Health and Social Services, Anchorage.

SUMMARY

SB 83 PROTECT: VULNERABLE ADULTS/LONG TERM CARE

CSSB 83(HSS) was REPORTED out of committee with a "do pass" recommendation and with two previously published zero fiscal notes: FN 1(DHS) and FN 3(REV).

#sb83

SENATE BILL NO. 83

"An Act relating to the protection of vulnerable adults and residents of long term care facilities."

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Co-Chair MacKinnon announced that there were no amendments on the bill. She shared that there were two people available for questions.

Co-Chair MacKinnon looked at page 4, Section 4, line 7, which changed the word, "shall" to "may." She noted that the change would allow the department to advance reports to either the Ombudsman or another appropriate agency.

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TERESA HOLT, LONG TERM CARE OMBUDSMAN, ANCHORAGE (via teleconference), agreed. She stated that there was currently a central intake where all the reports were submitted and were sent to the correct agencies. She remarked that there were some reports that were not appropriate to be sent to the Ombudsman.

Co-Chair MacKinnon looked at Section 6, line 19, and asked for information about the change from "shall" to "may." Ms. Holt responded that the Ombudsman, under federal statute, could only share reports of an investigation with consent of the resident or a representative.

Co-Chair MacKinnon looked at Section 7, and noted the deletion of "face to face interviews." She wondered whether that change still allowed video. She queried the purpose of eliminating "face to face." Ms. Holt replied that the change referred to Adult Protective Services, and deferred to Ms. Barstad.

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KELDA BARSTAD, MANAGER, ADULT PROTECTIVE SERVICES, DIVISION OF SENIOR and DISABILITY SERVICES, DEPARTMENT OF HEALTH AND SOCIAL SERVICES, ANCHORAGE (via teleconference), introduced herself.

Co-Chair MacKinnon looked at Section 7, and noted the deletion of "face to face interviews." She queried the purpose of eliminating "face to face." Ms. Barstad replied that telehealth was a good substitute for remote areas. There was an intent to use technology to improve the

connection to the communities and provide a faster response than may be possible with air travel.

Co-Chair MacKinnon looked at page 6, line 20, and noted the reference to "volunteers." She wondered whether the volunteers for the Ombudsman signed confidentiality requirements, or were trusted individuals who were sent through a screening process. Ms. Holt responded in the affirmative. She stated that background checks were conducted and provided 20 hours of training including 8 hours of supervision. She announced that all the volunteers signed confidentiality agreements and ethics statements.

Senator Hughes looked at page 4, and wondered whether the Ombudsman would normally request consent with the intention of providing the report; or whether it was the Ombudsman's discretion to choose to pursue the consent with the goal of providing the report. Ms. Holt responded that the section did not involve informed consent.

Senator Hughes looked at Section 6, which stated that "the Ombudsman shall obtain the informed consent." She wondered whether the Ombudsman would always take the step to obtain the informed consent in order to provide the report; or whether the Ombudsman determine whether to request the informed consent to provide the report. Ms. Holt replied that the Ombudsman would always receive informed consent before sharing information or collecting records. She remarked that there were some occasions when the resident may not be able to provide informed consent and did not have a representative. She stated that the situation was described on page 11 in Section 6.

Senator Hughes stressed that the process should always involve, when possible, receiving the informed consent.

Vice-Chair Bishop MOVED to REPORT CSSB 83(HSS) out of committee with individual recommendations and attached fiscal notes. There being NO OBJECTION, it was so ordered.

CSSB 83(HSS) was REPORTED out of committee with a "do pass" recommendation and with two previously published zero fiscal notes: FN 1(DHS) and FN 3(REV).

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AT EASE

1:45:58 PM
RECONVENED

Co-Chair MacKinnon announced the following day's schedule.

ADJOURNMENT
1:46:23 PM

The meeting was adjourned at 1:46 p.m.