



Rhode Island Health Care Association

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2024 – H 7969

AN ACT RELATING TO HEALTH AND SAFETY – ELECTRONIC MONITORING IN NURSING AND ASSISTED LIVING FACILITIES

Date: March 25, 2024
Position: Opposed

This testimony is submitted on behalf of the Rhode Island Health Care Association (RIHCA). RIHCA is a trade association that represents sixty-three (63) of the nursing facilities in the State of Rhode Island, representing 80% of the profession. We object to this bill, as intrusive, expensive and unnecessary.

We understand the concerns that gave rise to this proposal. Like anyone else, those of us in the nursing facility world are appalled by the idea that anyone would mistreat a vulnerable elder. Fortunately, such events are rare, and studies show that the frail elders are safer in nursing facilities than in the community. Most people who receive care and services in a nursing facility do so safely and securely. Our comments therefore are as follows:

Privacy of our Residents: The nature of the care nursing facilities provide is intensely personal. Nursing home residents typically need assistance with bathing, dressing, and toileting. Requiring that care to be recorded is offensive. Moreover, our state is at the forefront of a “culture change” movement, in which we seek to make our environment more homelike and less institutional. Constant video surveillance is more like “1984” than homelike. We understand that residents will have the opportunity to opt out in their bedrooms but expect they might be susceptible to pressures from roommates or family members to accept a level of surveillance that they would not choose for themselves. Monitoring them while they sleep. Capturing the last days and hours of their life while receiving hospice care is inappropriate.

It is notable that the bill allows for the camera to be disabled during care and during visits with certain individuals. It is likely that someone who would actually abuse an elder would likely disable the camera before that were to occur.

Privacy of our Staff: Our member facilities anticipate that such a requirement will be insulting and invasive to our staff as well. Certainly, it will affect their interactions with our residents. We attempt to have the same staff care for our residents on a consistent basis, and long-term relationships develop. This bill would greatly impair personal conversations between nursing assistants and their residents. Our staff will not talk about personal matters in a room where they know they are being monitored and recorded.

While this bill attempts to address privacy concerns, it has a provision that would allow a family to install a camera for up to two weeks without notifying the facility, consent of the

“Setting the Pace in Nursing Home Care”

A non-profit organization of proprietary and non-proprietary long term health care facilities dedicated to improving health care of the convalescent and chronically ill of all ages. An equal opportunity employer.

resident/roommate, signage, etc. Residents/staff would be recorded without their knowledge or consent.

RI nursing facilities perform national criminal background checks on all new staff. They obtain references for new hires. They check the OIG Exclusion List to ensure that the individual has not been barred from working in a Medicare/Medicaid funded facility, and this list is reviewed periodically for all staff. Abuse Prevention training is mandatory on hire and annually. Intrusive monitoring devices are unnecessary.

RIHCA opposes H7969.

Thank you.

A handwritten signature in black ink, appearing to read "John E. Gage", written over a circular stamp or mark.

John E. Gage, MBA, NHA
President & CEO