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**Testimony before the Michigan Senate Health Policy and Human Services Committee  
Regarding Senate Bill 213  
March 2021**

Good morning, Chairperson VanderWall and members of the Committee. I am Salli Pung, Michigan's State Long Term Care Ombudsman. I am pleased to provide testimony today in support of Senate Bill 213. The Michigan Long Term Care Ombudsman Program (MLTCOP) strives to improve quality of life and quality of care for residents of licensed long term care settings. MLTCOP provides information and support to residents and families, advocates for residents' rights and preferences, and engages in systemic advocacy on behalf of long term care consumers.

The MLTCOP suspended in-person visits on March 13, 2020 to reduce the potential for local ombudsmen to spread the COVID-19 virus from resident to resident and facility to facility. Our network of 19 local ombudsmen across the state continued to provide ombudsman services to residents and families through electronic communications. Although we were not able to visit residents in facilities and make observations about resident care and services through routine visits, we have continued to investigate concerns presented to our program. Our local ombudsmen investigate concerns from a variety of complainants but only at the direction of and with consent from the resident or the resident's legal representative, when applicable. Our work is always driven by the resident and focuses on resolving the issue of concern to the resident. We are not a regulatory body nor do we have authority in long term care settings. Rather we advocate on behalf of the resident for quality of life, quality of care, treating residents with dignity and respect, and honoring resident rights.

Since the onset of the pandemic, our efforts have been focused on advocating for residents of long term care facilities who are at grave risk from COVID-19. We have been in constant touch with residents and families as they navigate the many challenges and changes related to the pandemic. We have worked closely with the state to share information about what is happening in facilities across the state, suggest strategies and best practices we believe will safeguard residents, and seek clarification and enforcement of Epidemic Orders and policies that benefit residents.

From April 1, 2020 through June 30, 2020, our program provided information and assistance to callers a total of 2,637 times compared to the same period in 2019 where we responded to 1,385 calls, which is nearly double the number of calls. We did experience a reduction in the number of complaints investigated by ombudsmen which we believe is due to not having an in-person presence in the facilities. From April 1, 2020 to June 30, 2020, we investigated 593 complaints compared to the 918 complaints from the same period in 2019, which is approximately a 35% reduction.

An ombudsman's presence within the long term care setting generates the opportunity for residents to share their concerns about care in a safe and private manner which cannot always be afforded through other forms of visitation. Ombudsmen are charged with reaching out to new residents when conducting a facility visit to educate residents about the program, discuss resident rights, and provide assistance to resolve concerns. During most of this pandemic, residents did not have the opportunity to meet in-person with an ombudsman. Although, we are pleased to see that visitation restrictions are starting to be reduced as LTC providers have access to the necessary PPE and many residents are now fully vaccinated allowing for safer visitation, nearly a full year without consistent in-person visits by ombudsmen is a considerable time for residents to be without an advocate.

Senate Bill 213 allows for a restriction of in-person visits by ombudsmen for no more than seven days. This will provide time for the ombudsman program to evaluate the situation with other oversight agencies to determine when safe visitation can resume. I appreciate the language that supports alternative forms of visitation during these seven days and the language does not allow for ombudsman visits to be suspended any longer than necessary to safeguard residents. The bill also incorporates language around ombudsman access to mirror the requirements in the Federal Regulations for LTC Ombudsman Programs.

I thank Senators LaSata, Johnson, and Barrett for sponsoring this important piece of legislation to ensure long term care residents have access to long term care ombudsmen. Thank you to the committee members for the opportunity to provide this testimony. I would be happy to answer any questions you may have.