August 24, 2020

The Honorable Kay Ivey
Governor of Alabama
600 Dexter Avenue
Montgomery, AL 36130

Dear Governor Kay Ivey:

AARP Alabama, on behalf of our 420,000 members and all older Alabamians, appreciates the work you have undertaken to address the unprecedented public health and economic crisis that we face as a state. Given that approximately 37% percent of COVID-19 deaths in the state have occurred in nursing homes and other long-term care (LTC) settings, we continue to focus our efforts on protecting these residents, our neighbors and loved ones. It is for those reasons we ask that you consider the following policy recommendations:

**Requiring Transparency of Information on COVID-19 Cases**

Information about the incidence of cases and deaths due to COVID-19 in nursing homes, assisted living facilities and other residential care settings is critical to public health and the health and well-being of staff, residents and visitors at these facilities. Residents, family members and visitors deserve to have this information for their own health decisions and as they determine next steps and interventions for their loved ones.

We urge you to ensure that all facilities are reporting cases and deaths among residents and staff in a timely and regular manner, and that facilities failing to meet reporting requirements are held accountable. Furthermore, we urge that Alabama make sure this information is easily accessible to the public and presented in a way that is consumer-friendly and understandable.

**Prioritizing Testing for Residents, Staff, Ombudsman and Visitors**

AARP Alabama urges you to prioritize and ensure regular testing of all staff and residents of LTC facilities, in accordance with CDC guidelines. With the federal government’s recent announcement of its commitment to send point-of-care testing units and kits to every nursing home in the country and to help facilities secure subsequent tests at a reasonable cost point, we urge you to ensure that all Alabama’s facilities are utilizing these resources and understand how to access additional testing units and kits.

We also ask that this procurement be utilized for testing of visitors, including family and Ombudsman staff, as allowed under federal guidance.
Ensuring Adequate Staff

We are also deeply concerned about staffing shortages at LTC facilities. Many facilities had inadequate staff prior to the pandemic, and it is essential that staff be sufficient to meet residents’ many COVID-related care needs, including infection control. In addition, research shows that increased registered nursing levels are key to a nursing home’s ability to respond to outbreaks of emerging infections. See, for example: https://www.urmc.rochester.edu/news/story/covid-19-toll-in-nursing-homes-linked-to-staffing-levels-and-quality.

AARP urges Alabama to take immediate action to ensure that staffing levels in these facilities are and remain adequate. At a minimum, pre-COVID-19 staffing levels should be maintained. Factors such as recruitment, training, retention, compensation and benefits, as well as the creation of career ladders, especially for Certified Nursing Assistants and other direct care workers, should be addressed during this crisis and beyond.

Facilitating Access by Long-Term Care Ombudsmen

Long-term Care (LTC) Ombudsmen play an important role in advocating for residents and their families. As in-person visitation in facilities has largely been halted, many LTC Ombudsman staff have been unable to enter facilities. We urge you to ensure LTC Ombudsmen are allowed to enter long-term care facilities and ensure that they have the necessary PPE and testing to keep themselves, residents, and staff safe.

Accountability for LTC Facilities

AARP has long fought for the rights of residents in nursing homes and other residential care facilities and to ensure their health, safety, quality of care, and quality of life. This includes the right of residents and their families to seek legal redress through the courts to hold facilities accountable when residents are harmed, neglected, or abused.

While there may be some circumstances beyond facilities’ control for which they should not be held responsible, it is essential that long-term care providers remain responsible for any negligent actions to ensure long-term care residents have some protection and opportunity for redress. Residents of nursing homes and other LTC facilities may be unable to advocate for themselves and now have limited access to people who can advocate on their behalf. Nursing homes and other LTC facilities should know they will continue to be held responsible for providing the level of quality care that is required of them, and for which they are being compensated.

AARP Alabama greatly appreciates the state’s efforts to ensure the health and safety of Alabamians during this challenging time. Thank you for your prompt attention to this issue. We stand ready to help in any way that we can. If you have questions, please contact me at ccwilliams@aarp.org or (334) 954-3057.

Sincerely,

Candi Williams
State Director

CC: Commissioner Jean Brown, Alabama Department of Senior Services (via email)
State Health Officer Scott Harris, Alabama Department of Public Health (via email)
David White, Senior Policy Advisor for Governor Kay Ivey (via email)