

Older Americans Act Reauthorization Listening Forum

**Administration on Aging
U. S. Department of Health and Human Services
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Testimony Submitted by:

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Good afternoon, my name is Lynda Ender. I am AGE Director at The Senior Source, and I am representing the Texas Senior Advocacy Coalition which is a statewide coalition that includes all the major Texas organizations that advocate for older adults.

The following are titles of real news stories:

“Assisted Living Resident Falls Three Stories”

“Alzheimer’s Patient Wanders Away from Facility”

“Resident with Dementia Victim of Sexual Abuse”

Regrettably, tragedies do happen in assisted living facilities.

Assisted living is generally for people who don't yet need the full-time care provided by a nursing home, but may need help with daily living. How this assistance is provided differs tremendously from facility to facility.

Nursing homes offer total care and don't vary a lot, but assisted living can be a residential home with an aide, apartments with an aide on the premises and communal dining or a facility that's much closer to a nursing home setting.

Assisted living facilities have **no federal regulation** and **little state regulation**. As a result, residents have **no special rights or few protections**, as they would in a nursing home. Assisted living facilities are often not held accountable for abuse or neglect of residents.

Since there are not any national guidelines for assisted living facilities, and they are rapidly growing, there is a **booming need for Long-Term Care Ombudsmen** to ensure that facilities have trained and awake staff on duty at all times, that medication is safely and properly administered and residents live in a safe environment.

We need to increase the funding for the Long-Term Care Ombudsman Program. Most of the Ombudsman Programs in Texas can only make visits when they receive a complaint because of limited staff and volunteers. How will anyone in a facility know to call the Ombudsman Program with a complaint if they have not had a visit and education from an Ombudsman?

As more Americans are aging, assisted living facilities have become a popular option for loved ones who cannot live alone. Residents are aging in place. Many need more assistance than a facility can provide which is a set up for abuse and neglect.

All of us in the aging network should periodically read the Older Americans Act. As an advocate for older adults, I am impressed with the words:

- “**advocate**, monitor, and coordinate Federal and State activities of Long-Term Care Ombudsmen”
- “serve as the **effective and visible advocate** for older individuals within the Department of Health and Human Services and with other departments, agencies, and instrumentalities of the Federal Government by maintaining active review and commenting responsibilities over all Federal policies affecting older individuals”
- “serve as **the advocate and focal point for older individuals within the community** by (in cooperation with agencies, organizations, and individuals participating in activities under the plan) monitoring, evaluating, and commenting upon all policies, programs, hearings, levies, and community actions which will affect older individuals”

I think the aging network does a great deal of wonderful advocacy for individuals, but if we would spend more time on public policy and legislative advocacy as the Older Americans Act directs us to, we could help many, many more older adults than we do now. A number of years ago, I attended a N4A Advocacy Training in which the trainer stated, “If you are not advocating, you are violating the Older Americans Act.”

I urge U.S. Assistant Secretary for Aging Greenlee and the aging network to **advocate for more funding of the NHOP** so our assisted living facilities will be safe, enjoyable places to live, to **advocate for passage of the Elder Justice Act**, and to **recommit to the Older Americans Act by advocating for public policy that would benefit older Americans.**