



MINNESOTA ACADEMY OF
FAMILY PHYSICIANS
STRONG MEDICINE FOR MINNESOTA

600 S. Highway 169
Suite 1680
St. Louis Park, MN 55426

952.542.0130
office@mafpa.org
www.mafpa.org

April 19, 2018

Senator Housley
3217 Minnesota Senate Building
St. Paul, MN 55155

Representative Kiel
537 State Office Building
St. Paul, MN 55155

Re: Elder Abuse Legislation (SF 3437/HF3308)

Dear Senator Housley and Representative Kiel,

On behalf of the Minnesota Academy of Family Physicians (MAFP), the largest medical specialty society in Minnesota representing over 3,200 members, we are writing today to ask you and other lawmakers to support stronger protections this session to address elder abuse. The crisis of neglect and abuse in the assisted living and nursing home facilities in Minnesota requires urgent action.

As you are aware, The Office of Health Facility Complaints (OHFC) has reported a 600% increase in maltreatment reports since 2010 and an ability to investigate on 1% of the 24,791 reports from providers and 10% of the 3,491 reports from individuals.

Further, there has been clear documentation of problems in the processing of complaints at the Minnesota Department of Health as documented in a Minnesota auditors report released in March of 2018.

Moreover, assisted living facilities (including memory care units) in Minnesota are minimally regulated and do not require licensing and there has been clear documentation of ongoing elderly neglect and abuse in many of these facilities as described in the five-part *Star Tribune* article "Left to Suffer" published in November 2017.

Many of the cases involved poorly trained or inadequate number of staff in the facilities for the level of needs required by these residents (currently 60,000 in assisted living and 28,000 residents in nursing homes in Minnesota).

The number of new assisted living facilities (most are self-pay funded) is increasing rapidly due to accelerating needs. Also, the ongoing boom in building these assisted living facilities is fed by investment sector appreciation of these facilities for their high return on investment dollars.

With inadequate staff training and numbers compounded by a workforce shortage in this segment, the risk to our elderly in these facilities will only worsen until active steps and controls are put in place to improve these issues.

For the forgoing reasons, we urge lawmakers to strengthen the bills (SF3437/HF3308) to provide immediate protections against arbitrary discharges in assisted living facilities; protections against retaliation; and clearer authority for the Assisted Living Task Force to develop licensure standards. In addition, we ask legislators to include an MAFP selected physician(s) with geriatric care skills to the list of task force members to provide input to the legislative groups developing solutions.

Thank you in advance for your consideration of our request.

Sincerely,

A handwritten signature in cursive script that reads "Glenn Nemec M.D.".

Glenn Nemec, MD
President

cc Senator Paul Gazelka
Representative Kurt Daudt
Governor Mark Dayton