



## North Dakota Senate

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Committees:  
Government and Veterans Affairs  
Human Services

Mr Chair –

Today, I am here to introduce Senate Bill 2145, relating to establishing an Essential Caregiver for residents in Long Term Care. We are aware of the brutal toll that COVID-19 has taken on our elderly population – but I would posit that the isolation that they have endured is equally brutal.

I want to start by thanking the Department of Health, the Department of Human Services, the Vulnerable Population Protection Plan taskforce, the Reuniting Families Taskforce, the Long Term Care Ombudsman, and the Long Term Care Association for working so diligently to protect those among us that are most vulnerable. They were assigned a nearly impossible task of trying to keep an aggressive virus out of the population it most devastated. As they started their work, we knew that we needed to protect this population, and we knew how we didn't want to do it, as we had seen some states fail in ways we could not allow to happen in North Dakota. With the benefit of hindsight, we know that the information they had was minimal, and yet they created a plan that has helped to save hundreds, if not thousands of lives. So again, I say thank you.

We have now surpassed the 1-year mark when we learned that this virus was in the US, and in North Dakota. Many things have been learned in that year – we know better how the virus is spread, we have better therapeutics, and we also know that we have adequate PPE to care for all of the residents in our healthcare facilities – and we also, thankfully, have vaccines!

The time has come to acknowledge the effects of isolation in Long Term Care that were created by the policies and tactics employed at both the state and national level. We want to look forward to identify what we can do to ensure that all residents are afforded their rights – the right to see their loved ones being at the forefront – to give and receive hugs, to talk, and to make that human connection.



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My goal with this bill is to make sure that we have standards in place for the future – to ensure that we never resort to this sort of isolation again. Isolation in other situations is used as a punishment – timeout for a child, solitary confinement for a prisoner – but these residents did nothing deserving of punishment, and yet, they are the ones that suffered for the past year.

This bill is relatively simple at its heart – it basically says, as long as the Feds haven't specifically limited visitation, no facility may deny visitation for a Long Term Care resident by their essential caregiver or caregivers. The facilities may create protocols for that visitation, but they need to allow it – these protocols may include PPE requirements, screening, or other steps – but I would believe that the loved ones of the resident would jump through all of those hoops, and then some, just for the chance to make that connection.

The numbers of letters, emails, and calls that I have received lead me to believe that this bill is necessary. And the content of those messages are beyond heartbreaking.

This past fall, I had the honor of working with COVID and non-COVID patients in the hospital and saw this isolation in person. It made me sad that people had to be hospitalized to be able to get a visitor. My coworkers have been experiencing moral distress from having to be the one standing between their patient or resident and their loved ones. I had friends relay stories to me about residents begging them to end their lives – not to let them die, but to kill them. The lasting effects on our families, our residents, and our healthcare workers will not be seen fully for years, but I fear that much of this damage cannot be undone.

I urge you to support this legislation to prevent this isolation from happening again in the future.

Thank you for your consideration.