

Health & Human Services Committee

Happy Thursday. I'm Lise Kennedy. You may remember that I commented last month about how some of the residents of the ACC have had difficulty getting medications that have been prescribed by specialists outside the nursing home. Not being able to get their prescriptions from ER staff, from discharge instructions after a hospitalization or from a specialist can increase pain, result in uncontrolled infections, untreated pathology and ultimately cause premature death. I know that there are people who hold the view that people in nursing homes should just get the minimum, but residents of nursing homes have the same legal rights to appropriate medical treatment as anybody sitting up on the podium.

I attempted to investigate why the residents of the ACC might be having this problem, and I was told by a physician, who had been a nursing home administrator and then the Medical Director of a privately owned nursing home, that it is common practice for nursing home management to focus on cutting pharmaceutical costs and that he used to have a monthly meeting for that purpose. This made sense to me from a management perspective, but I really found it hard to believe from the viewpoint of a licensed medical professional that a company would go to the extent of deliberately withholding or delaying prescribed medications.

I looked at the ACC reconciliation statements from the 2nd to the 3rd quarters of 2022 and saw that pharmaceutical costs had decreased from 52 to 43 thousand dollars just in that brief time, right after that legislature had granted Infinitecare permission to manage medical staffing and supplies.

Next, I attempted to discover what companies currently supply pharmaceuticals and medical stock to the ACC, but was informed by the FOIL officer that the county didn't have that information and that I should ask Infinitecare. Of course, Infinitecare as a private contractor is under no obligation to answer any of my questions, but I had assumed that at least the audit department at least was auditing those invoices to some extent. Apparently, they are not.

I also foiled for the payroll records and time sheets of the Medical Director of the ACC, who is employed through Infinitecare, although the Medical Director is supposed to be employed by the operator under DOH regulations. Of course, medications are only supplied to residents after the Medical Director or his associate physician assistants or nurse practitioners have signed off on them. I have heard that the ACC Medical Director spends very minimal time at the nursing home and has been seen doing extremely brief examinations of residents in the dining hall. According to a recent study from the Journal of the American

Geriatrics Society, 1/3 of nursing homes in the United States don't comply with the requirements for a Medical Director. You won't be surprised to hear that the FOIL officer replied that they had no records of the Medical Director's timesheets and I should ask Infinitecare.

As a retired county employee, I am simply flabbergasted at the lack of monitoring and oversight over this contract with Infinitecare. In 25 years as a county employee, every single purchase I ever initiated in my department had to be ok'd by at least three other people, and then be approved by several other departments, no matter how trivial the expense. Truly, that is the virtue of government processes, to have so many checks and balances, although it can be a painfully slow process, but it's to ensure that our funds are being spent properly. The taxpayers are paying over a million dollars per month for the ACC, which is still in the red despite all the penny pinching. How is the county manager monitoring and overseeing how that money is being spent by Infinitecare, while the county is still, in fact, the operator and responsible for everything that happens there? Can you understand the potential here for fraud, medical malpractice or misappropriation with so little control or oversight? My primary concern is for the wellbeing of the nursing home residents, but I'm also outraged as a taxpayer. How long are you, the policymakers, going to sit on this?

Thank you.