



CALIFORNIA HEALTH ADVOCATES
Medicare: Policy, Advocacy and Education

March 15, 2021

Assembly Member Jim Wood, Chair
Assembly Health Committee
State Capitol, Room 6005
Sacramento, CA 95814

RE: AB 279 (Muratsuchi) – Support

Dear Chairman Wood:

California Health Advocates (CHA) urges you and the members of the Assembly Health Committee to support AB 279 (Muratsuchi), The ICF and SNF Resident Protection Act of 2021.

California Health Advocates (CHA), a non-profit organization founded in 1997, is the leading Medicare Advocacy and educational voice for more than 5.6 million Medicare beneficiaries in California. Our members, county Health Insurance and Advocacy Programs (HICAPs), provide information and advocacy for beneficiaries in Skilled Nursing Facilities (SNFs) and Intermediate Care Facilities (ICFs).

For decades, one of the most serious threats facing residents of California's Skilled Nursing Facilities and Intermediate Care Facilities has been the trauma of forced involuntary transfer to locations away from friends, families, and advocates.

California and federal law give residents and their families the right to participate in the selection of any new home before transfer and require adequate notice and the opportunity for an appeal. Nevertheless, these laws are routinely ignored by facility owners, even during the current state of emergency.

Indeed, these legal protections have not slowed the rate at which facilities are involuntarily transferring and discharging vulnerable and elderly residents during California's state of emergency without even giving residents the opportunity to visit new facilities first to assess their safety.

This is the danger facing residents of Sakura Gardens, one of the last California facilities to give Japanese-speaking residents a secure home in their old age. Last September, the new owner of Sakura Gardens, the for-profit Pacifica Companies, submitted a proposal to the City of Los Angeles to turn the facility into an apartment building. To facilitate this conversion, Sakura Gardens' current residents are being urged to transfer to facilities with shockingly high rates of COVID-19 infection—sight unseen.

Assemblyman Muratsuchi's bill would prohibit the owner of an ICF or SNF from involuntarily transferring a resident to another facility, during any declared state of emergency relating to the coronavirus disease 2019 (COVID-19), except if the owner files for bankruptcy. For one year from the time all emergency declarations are lifted, owners would be obliged to provide a six month notice of closure. By supporting the bill, you will be protecting not only the residents of Sakura Gardens, but vulnerable long-term care residents across the state during the worst public health crisis in a century.

Sincerely,



Christina Dimas-Kahn, Board Chair
California Health Advocates

cc: Assembly Member Al Muratsuchi