

OPENING STATEMENT

Chairman John Breaux

"Assisted Living Reexamined: Developing Policy and Practices to Ensure Quality Care"

April 16, 2002

Good afternoon. I want to thank you all for being here today to discuss an issue of utmost importance for our nation's seniors. Assisted living, though still a relatively new phenomenon, is a popular choice for seniors who need varying levels of assistance as their long-term care needs increase. As indicated by my multi-part series of Aging Committee hearings on long-term care, I am devoted to examining the continuum of care options for our elderly. No longer are older Americans limited to nursing homes and at-home caregiving when they need assistance - they now have a multitude of options and people are demanding that good care be inherent in those options. It is my duty as Chairman of the Aging Committee to assist in ensuring that not only are such choices made by informed consumers but also that these choices instill confidence and comfort in the residents. I need your help to do this and the time is now.

Assisted living is not a new focus for this Committee. In 1999, the GAO informed us of the lack of uniformity in state law - including the fact that there is not even a singularly adopted definition for what *assisted living* is. At that hearing, it was resolved that federal regulation of assisted living was premature and that instead, accreditation of facilities could be a beneficial tool in improving quality of care in facilities. In 2001, we held another hearing and learned that the self-policing of accreditation was not the tool we had hoped. Further, the industry and the consumer advocates were not working together even though witness testimony at the hearing seemed to indicate that all the groups shared a mutual goal - providing quality care for seniors.

This Committee gave the assisted living community its charge - work together and come up with a set of recommendations for how this goal can be achieved. You all answered by forming the "Assisted Living Workgroup." Undeniably, those of you involved deserve accolades for devoting such an immense amount of time and resources to this process. I think there is inherent value in the simple fact that industry groups and consumer groups are sitting down at the table together on a regular basis to develop consensus, and then report back to Congress. This is truly a new way of developing policy and a new way of implementing Congressional oversight.

Last month I held a hearing on abuse in nursing homes. I don't want to hold a similar hearing in five years that sheds light on similar patterns of abuse in assisted living. Through your consensus building you have a chance to make sure that I don't have to. I think that many in the health care industry see the nursing home industry as one that is very closely regulated yet is still fraught with quality of care problems. We decided to tackle the problems in assisted living in a new way. I am not saying that there is no role for the federal government in this arena - rather I am saying that we need to consider all options before determining where our energies are most appropriately placed. I am pleased to learn that the Workgroup is addressing the tough questions surrounding implementation of change - and the roles of the federal government, state governments, facilities and consumers.

The time is exceedingly ripe for change. With 77 million baby boomers starting to weigh their care options as they age, the public is demanding more choices when it comes to determining where to spend the final years of their lives. And it is not only the wealthy who are looking. Most Americans cannot afford the monthly payments of \$3000-\$6000 a month that assisted living facilities charge. So, in addition to quality of care issues I am pleased to learn that this group is addressing questions surrounding affordability as well. In my home state of Louisiana we do not have a progressive attitude when it comes to long-term care. There is still no Medicaid waiver for assisted living. Through this and other programs I hope to help make it possible for our nation's poor seniors to have the same access to

quality care as those who are more financially secure.

The timeline this Committee established last August remains unchanged - I look forward to hearing this group's recommendations come next April. I understand that with any diverse group the development of consensus recommendations will undoubtedly produce some issues for which minority opinions cannot be avoided. However, I expect that these minority opinions will be the exception and not the rule. And I will be expecting substantiation on issues for which agreement cannot be reached.

As we told you last year, you are the experts. You are the primary drivers behind the development and direction of your recommendations. I would like to commend you all for your hard work over the last few months. You are doing a service for our nation's seniors. And by working with each other and with the Special Committee on Aging you are truly doing a remarkable thing. **With this innovative and inclusive way of crafting policy together we can make history.**

Thank you and I now turn to my colleague(s) for any additional opening comments.