



Provide Disaster Relief to All Long Term Care Facilities

Action for Congress: Provide disaster relief funding to all long term care providers – both private for-profit facilities and not-for-profit facilities –to ensure that all vulnerable long term care facility patients have access to essential health care services during natural disasters or catastrophes.

When a natural disaster or catastrophe is impending or strikes, long term care (LTC) facilities do their utmost to provide the highest quality care to their frail, disabled, and elderly patients while coping with limited availability of physical and financial resources. While caring for such frail, elderly, and disabled individuals is challenging under the best of circumstances, during a disaster, those difficulties and challenges are magnified.

Every day, more than 1.5 million Americans who are frail, elderly, or have developmental disabilities receive care in nursing homes and other long term care facilities. These patients are among the most vulnerable populations in our nation. Many require a variety of specialized care including 24-hour nursing care and assistance with the most basic activities of daily living. Two-thirds of nursing home residents, and almost all people with severe and profound mental retardation, rely on Medicaid to pay for their care, with nearly 70% dually eligible for both Medicare and Medicaid.

As a result, when disaster strikes, federal assistance often is required to protect these vulnerable citizens and facilitate a speedy restoration of LTC facilities. One particularly large expense for LTC facilities is emergency transportation. In the case of potential hurricanes, because LTC facilities generally evacuate 72 hours before the disaster strikes, providers may bear these costs even when the hurricane shifts direction away from their location. For example, prior to Hurricane Gustav making landfall, 96 of the 114 nursing facilities total in Louisiana were evacuated under a mandatory order. Both buses and ambulances were required to transport these patients out of harm's way, as well as all the staff needed to provide care and their families. Other expenses incurred by evacuating facilities included lodging for staff and their families, overtime and bonus compensation, and supplies. Many facilities also rent trucks to carry wheelchairs, medication carts and other equipment and supplies. These trucks follow the buses to assure that the residents will have their wheelchairs and other adaptive equipment upon arrival. Likewise, facilities sheltering in place have additional expenses such as: generators; fuel; ice; water; additional foodstuffs for staff and their families; and day care for staffers' families. Clearly both for profit and non profit LTC facilities need immediate help with transportation and other disaster-related expenses.

In addition, under the *Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act)* for-profit long term care facilities cannot access federal hazard assistance. *Stafford Act* Disaster Relief Fund (DRF) grants are financed by funds appropriated by Congress and provide for the immediate needs of individuals and families, public infrastructure repairs, emergency communications systems, or other assistance. Unfortunately, under the current law, for-profit long term care providers including those that provide "medical, rehabilitation, and temporary or permanent custodial care facilities... for the aged and disabled," are precluded from accessing this funding. Further, FEMA grant funds may not benefit for-profit institutions. In the aftermath of Hurricanes Gustav and Ike, long term care facilities are housing or housed evacuees and their families; have suffered infrastructure damage; and need access to critical fuel reserves to run generators to power air conditioning, ventilators, dialysis machines, and other medically necessary equipment. As of September 16, the U.S. Department of Health and Human Services reported at least 50 nursing facilities remain without power and are operating on generators.

American Health Care Association ♦ National Center for Assisted Living
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Furthermore, nursing homes, regardless of their tax status, sometimes are designated as special needs shelters. These shelters accommodate overflow cases from hospitals and other health care facilities as well as the elderly living in the community during a crisis and are a critical component to our national disaster and emergency preparedness planning.

Therefore, it is imperative that the existing disparity be rectified so that our frail, disabled, and elderly patients may continue to receive their life-sustaining care, regardless of the ownership status of their facility—disasters wreak havoc indiscriminately, damaging for-profit and non-profit facilities equally within a geographic area. In many localities, for-profit nursing facilities may be the only long term care provider available and thus should be provided with equal access to federal resources so that they may continue or resume care of their patients and others in the community.

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Storm Related Facts

Hurricane Ike

- According to the Texas Department of Aging and Disability Services, as many as 74 nursing facilities (NFs) and 56 assisted living facilities (ALFs) evacuated from over 23 counties. At least 5,000 Texans were subject to this mandatory evacuation.
- According to the U.S. Department of Health and Human Services, of the 136 NFs in the impacted area, they know of only 68 that are open (they have no status reports for 29 facilities) and of the 68 open facilities, only 18 have commercial power. The other 50 are running on generators (as of September 16).
- LTC facilities away from the Gulf Coast are being asked to care for evacuees from the general population having medical needs.
- To date, no one has been able to determine the status of the 8 NFs and 4 ALFs in Galveston prior to Ike.

Hurricane Gustav

- According to the Louisiana Health Care Association, 96 of the 114 nursing facilities total in Louisiana were evacuated under a mandatory order.
- According to the Mississippi Health Care Association, 2 LTC facilities totaling 160 residents evacuated while 15 facilities sheltered in place.
- According to the Texas Health Care Association, 30 NFs and 20 ALFs were evacuated under a mandatory order, affecting approximately 2,700 residents and 600 residents respectively.

