

# LONG TERM CARE COMMUNITY COALITION

*Advancing Quality, Dignity & Justice*

**MEMO IN SUPPORT: [A05841B/S02103B](#)**

## **A Bill to Ensure Informed Consent for the Use of Psychotropic Medication in Nursing Homes and Adult Care Facilities**

**POSITION:** The Long Term Care Community Coalition (LTCCC) is a nonprofit, nonpartisan organization dedicated to improving care and dignity for residents in nursing homes and other residential care settings. **LTCCC strongly supports this bill, in recognition of the urgent need to reduce the widespread use of powerful and dangerous antipsychotic drugs and other psychotropic medications in nursing homes and other residential care settings.**

**WHY THIS BILL'S PROTECTIONS ARE NEEDED NOW:** The inappropriate and dangerous use of antipsychotics and other psychotropic drugs is a widespread problem in our nursing homes and adult care facilities. Despite the FDA “black-box” warning against using these drugs on the elderly, too often they are given to residents without their – or their representative’s – consent. Too often, these drugs are administered by facility staff in the absence of supervision and monitoring by a doctor or other professional health care provider. Sadly, after years of moderate progress in reducing antipsychotic drugging, this problem is again becoming more widespread. Recent data and reports have indicated that [nursing homes are manipulating resident diagnoses to administer these drugs with impunity](#) and that [these practices are having an outsized impact on communities of color](#).

Nursing home residents (or, for residents who lack capacity, their representatives) have long had the right under federal law to be fully informed in advance about care and treatment, participate in care planning, and accept or decline such treatment. **Unfortunately, in the absence of the protections in this bill, too many facilities in our state ignore these important federal safeguards.** Passage of this bill would help make these rights a reality for New Yorkers in nursing homes and adult care facilities. **The bill would reduce resident suffering and save families from heartache.** It has the **strong potential to save significant taxpayer funds** by reducing costs associated with unnecessary hospitalization and medical care resulting from preventable falls, heart attacks, and strokes (known side effects of antipsychotic drug use on the elderly). **It would ensure that the treatment of vulnerable residents is appropriately overseen by medical professionals,** not harried caregivers in under-staffed facilities.

**FOR FURTHER INFORMATION:** Please visit LTCCC’s website, [www.nursinghome411.org](http://www.nursinghome411.org), for information and resources on antipsychotic drugging, the latest federal data on nursing home antipsychotic drugging rates, and our Dementia Care Advocacy Toolkit for consumers and caregivers.