October 3, 2012

The Honorable Charles Grassley
135 Hart Senate Office Building
Washington, DC 20510

RE: S. 3604, The Improving Dementia Care Treatment for Older Adults Act of 2012

Dear Senator Grassley:

California Advocates for Nursing Home Reform (CANHR) is writing in support of S. 3604. For nearly thirty years, CANHR has been fighting for the rights of nursing home residents in California. In 2009, recognizing the immeasurable suffering of the thousands of California residents with dementia who were being chemically restrained, we sponsored state legislation to improve informed consent requirements for the use of psychotropic drugs. A year later, we launched a campaign to end the misuse of psychotropic drugs in nursing homes.

In the past two years, CANHR has been at the forefront of state and national efforts to end the misuse of psychotropic drugs, particularly antipsychotics. Among the least discussed elements of the recent national attention to this problem has been informed consent. All people have the right to know and determine what will go into their bodies, especially mind-altering drugs that are associated with increased mortality. Despite the fact that the U.S. Food & Drug Administration has issued its most dire warning – known as a black box warning – regarding antipsychotics, very few residents or their decision-makers are told.

In all too many nursing homes in this country, antipsychotics are initiated for residents without any input or consent from them. The purpose for antipsychotics is often to blatantly sedate and subdue residents with dementia despite myriad non-pharmacologic options starting with comfort-focused care.

We believe informed consent is the best safety net for preventing the misuse of antipsychotics for nursing home residents with dementia. Studies show that robust informed consent processes lead to reductions in antipsychotics use. Giving residents or their decision-makers good information about risks, benefits, and alternatives to antipsychotics enables them to reject medications that do not address their underlying needs and to help design superior care plans. Informed consent empowers nursing home residents to take control of their own care and improve the quality of their lives.

We believe that S. 3604 will enrich the informed consent process in nursing homes throughout the country and improve dementia care. We are happy to support its passage.

Please feel free to contact us if you have any questions at all or would like additional assistance.

Sincerely,

[Signature]
Patricia L. McGinnis
Executive Director