

Opinion

## FORUM: Connecticut foolish to help industrialize hospice care

Tuesday, April 19, 2011

By Mark A. Shiffrin

NEW hospice regulations threaten to undermine patient care in an area where Connecticut has been a success story, and it is time for the state commissioner of public health to call a stop to this foolishness.

Thirty years ago, a group with foresight came together to create Connecticut Hospice, America's first hospice, starting in New Haven and expanding to a beautiful campus in Branford. It now offers home care and satellite inpatient care across most of the state.

With thoughtful state regulations promulgated by the state Department of Public Health, Connecticut Hospice flourished and became a national and international model. Thirty other hospice providers here also grew under these regulations, providing access to home and inpatient hospice care to every corner of Connecticut.

The core of the new regulation would allow inpatient hospice care to be provided at a lesser standard than now. Under it, organizations providing inpatient services could do so with fewer staff members and diminished medical resources.

Providers would get the same pay, consumers would get less service. Who benefits? Not patients, or our neighbors who serve them. Only the providers, who get paid the same for less, benefit.

Today, when new patients are admitted for inpatient service, they receive an immediate nursing assessment; the new regulation allows 48 hours. A dying patient, in need of inpatient end of life care, should not have to wait 48 hours for a nursing assessment, any more than a woman should have to endure the indignity of a drive-through mastectomy.

The provider economizes on nursing through delayed assessments, while hospice patients wait for care and treatment during a crucial period at the end of their lives. This is one glaring example of why this regulation is grossly insensitive to consumers and needs to be scrapped.

Hospice care has become what one advocate of the new regulations — representing a for-profit provider of hospice care — described at a public hearing as the “hospice industry.”

Like any other industry, the secret of those seeking to profit is to deliver the minimum service for maximum price. For them, it's business. For patients and families, it's more.

Until now, Connecticut's hospice regulations have not been about an industry, but about patient care. The new focus is just not right.

In other areas, the current mandated level of care is specific, but it is proposed to be supplanted with general terms that will inevitably mean less care for vulnerable patients and more profit for the companies that are seeking to compete with

Patients will not be getting the same standard of care they deserve, the standard of care Connecticut has pioneered, yet it will be called hospice care and be paid for by the same federal Medicare benefit at the same hospice rate. That's bait-and-switch, diverting resources from patient care to profit, with no cost savings to government or insurance. It helps no one other than those providers seeking to maximize profit margins.

These deceptive regulations, advanced in the final hours of M. Jodi Rell's administration, deserve to be cast out into a cold night.

Mark A. Shiffrin, a lawyer, served as commissioner of the state Department of Consumer Protection in 1995-1999 and has been affiliated with Connecticut Hospice. Write to him at 1768 Litchfield Turnpike, Woodbridge 06525. Email: [mshiffrin@snet.net](mailto:mshiffrin@snet.net).

---

URL: <http://www.nhregister.com/articles/2011/04/19/opinion/doc4dacaf9b07783496438041.prt>

© 2011 nhregister.com, a **Journal Register** Property