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The Need for the Nursing Home Quality Protection Act

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THE NEED FOR THE NURSING HOME QUALITY PROTECTION ACT

There is an urgent need for federal legislation to improve conditions in nursing homes. Investigations by GAO, Congress, and other experts have found that conditions in many nursing homes are abysmal; health and safety violations are widespread; and current staffing levels are inadequate.

Investigations by GAO

The U.S. General Accounting Office (GAO), an investigative arm of Congress, has released a series of reports on nursing home conditions over the past three years. These reports have found that more than one-fourth of nursing homes have violations that cause actual harm to residents or place them at risk of death or serious injury. GAO found that these violations are serious, causing pressure sores, broken bones, severe weight loss, and even death.

Moreover, the GAO reports have shown that the current enforcement system does not succeed in holding nursing homes accountable because “sanctions initiated ... against noncompliant homes were never implemented in a majority of cases and generally did not ensure that homes maintained compliance with standards.”

Investigations by Congress

The Special Investigations Division of the Minority Staff of the House Government Reform Committee has initiated a series of investigations of nursing home conditions in members’ congressional districts. Since November 1999, the minority staff has released almost 20 reports on nursing home conditions in Los Angeles, Chicago, San Francisco, Texas, and other areas. These reports have confirmed that many nursing homes violate federal health and safety standards, that these violations often involve serious neglect and mistreatment of residents, and that inadequate staffing is a major reason for substandard care. The examples of poor care described in the reports include:

- C A Los Angeles nursing home where state inspectors found over 60 residents suffering from bed sores;
- C A Chicago nursing home where state inspectors found dozens of residents in physical restraints, many in violation of federal health and safety standards;
- C A San Francisco nursing home where state inspectors found hundreds of ants crawling over the body and in and out of the mouth of an 83-year-old resident.

Investigations by HHS

In July 2000, the Department of Health and Human Services (HHS) released a comprehensive report on staffing levels in nursing homes. HHS concluded that inadequate staffing is widespread and is endangering the health of nursing home residents. According to the HHS report, residents in facilities with inadequate staffing were almost four times as likely to develop pressure sores and almost twice as likely to suffer significant weight loss than residents in facilities with adequate staffing.