

Safe Staffing in Nursing Homes

The Time Has Come to Fulfill a Promise to Residents, Families & Taxpayers

It's About Enforcement...

Though sufficient staffing is essential, **nursing homes are rarely held accountable when they have unsafe staffing levels, even when it leads to degrading conditions, substandard care, or avoidable death.**

- Annual rate of staffing deficiencies per resident is infinitesimal: 0.036%.
- Less than 5% of these deficiencies acknowledge resident harm or jeopardy.

Many nursing homes take the law, and their duty to their residents and communities, seriously.

Unfortunately, in the absence of meaningful enforcement, too many nursing homes understaff and flout minimum standards with impunity.

New reports indicate that the industry is becoming increasingly corporatized and sophisticated about diverting funds meant to support resident care. Staffing standards and stronger enforcement are needed now to protect residents, families, and the public funds which pay for most nursing home care.

Staffing is Key

Staffing levels are one of the most (if not the most) important indicators of a nursing home's quality and safety. A landmark 2001 federal study found:

- 97% of facilities failed to meet one or more staffing requirements.
- 91% lacked sufficient staff to provide decent care.

Unfortunately, this situation continues today.

Staffing is Required

The 1987 Nursing Home Reform Law requires that nursing homes have sufficient staff to ensure that every resident they take in receives the care and services he or she needs to attain, and maintain, his or her highest practicable physical, emotional, and psychosocial well-being.

... Not Lack of Money

A 2014 HHS Inspector General study, *Adverse Events in Skilled Nursing Facilities: National Incidence Among Medicare Beneficiaries*, found that **an astonishing one-third of residents who went to a nursing home for short-term care were harmed within about two weeks, and that almost 60% of that harm was preventable** and likely attributable to poor care.

This is particularly striking because **Medicare reimbursement rates are extremely high.**

The Medicare Payment Advisory Commission (MedPAC) has reported that nursing homes are overpaid by the Medicare program and have enjoyed Medicare margins exceeding 10% for more than 14 consecutive years.

Why don't nursing homes take care of these highly profitable patients?

What are the implications for our elderly residents, particularly the majority of residents who have dementia?

Insufficient Staffing is Widespread

- **82% of nursing homes report total direct care staffing at 4.0 hours per resident day or less.** A landmark federal study indicated that 4.1 hours of direct care staff time is typically needed to meet a resident's clinical needs.
- **30% of nursing homes report total direct care staffing of 3.0 hours per resident day or less.**

RN Staffing of Particular Concern

- **70% of nursing homes report RN care staffing at 0.5 hours per resident day or less.** The federal study indicated that 0.55 -0.75 is typically needed to meet a resident's needs.
- CMS "concerned with recurring instances or aberrant patterns of days with no RN onsite."

Some nursing homes have the equivalent of

zero

hours of RN care staff per resident per day, every day.

Appropriate staffing is possible!

- 25% of nursing homes across the country – including for-profit and not-for-profit facilities – provide .55+ hours of RN care staff time per resident day.
- However, in the absence of penalties for insufficient staffing, or any limits on profits, too many facilities divert funds paid for resident care.

Visit

WWW.NURSINGHOME411.ORG

- Updated information on direct care staff for every nursing home in every state (in compliance with federal reporting requirements).
- Resources for you and your constituents, including: fact sheets, issue alerts, data on key quality criteria, and the Dementia Care Advocacy Toolkit.