Fines

Introduction

- Fines, also known as Civil Monetary Penalties (CMPs), are a critical tool for holding nursing homes accountable for substandard care, abuse, and neglect. Fundamentally, when substandard care is identified, the imposition of a fine imposes a cost for the failure to meet the standards which nursing homes voluntarily agree to meet or exceed.
- Conversely, when a fine (or other penalty) is *not* imposed for substandard care, it sends a message to the facility (and industry as a whole) that poor care is acceptable. This is of special concern when substandard care harms residents or puts them in jeopardy.
- This section contains state and regional data on frequency (adjusted for resident population) and severity of fines, including key findings, a map data visualization, and tables.

> As the data in this report indicate, there is often little or no punishment when nursing homes fail to provide care that meets the standards they are paid to achieve, even when such failures result in significant suffering.

Key Findings

- Unfortunately, as these data indicate, **nursing homes infrequently face financial penalties when they fail to meet minimum standards**. From a consumer perspective, the absence of a financial incentive makes it unlikely that poorly performing nursing homes will change their practices.
- Nationwide, with over 15,000 nursing homes serving over one million residents on any given day, federal data indicate an average of 2,126 fines per year are imposed. This is the equivalent of 1.6 fines per 1,000 nursing home residents.
- The average fine was $29,000 while the median fine was $11,700.
- Fine frequency and severity varied significantly by state and region.
- Comparing states, Montana had the highest amount in annual fines per resident ($206) while Nevada had the lowest ($3). The median state annual fine per resident was $46.
- The average annual fine per resident in Region 10 ($120) was 10 times higher than the average fine per resident in Region 2 ($12).
- Note: This report only includes fines reported in the federal database, which does not include fines that are imposed by individual states. For information on state fines, consult the individual state's website.

Data: Map and Tables

Annual Fine Amount ($) and Frequency by State (2018-20)
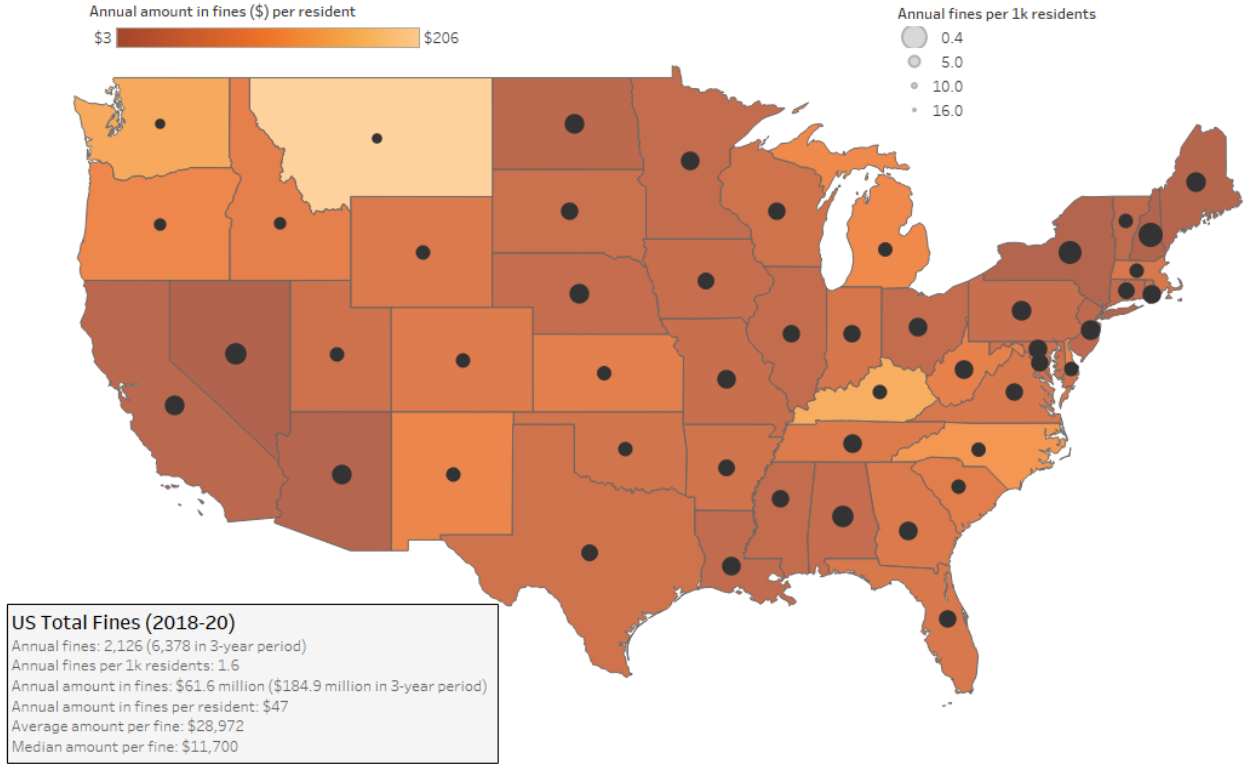

Figure 23: Fines during the three-year period from 2018-20. Darker shades indicate lower amount in fines ($) per resident; larger circles indicate lower number of fines per resident. See *Figure 24* for info on Alaska, Hawaii, and Puerto Rico.

	Total fines	Annual fines per 1k residents	Rank: Annual fines per 1k residents	Annual total amount in fines ($)	Annual amount in fines ($) per resident	Rank: Annual amount in fines ($) per resident	Average $ per fine	Rank: Average $ per fine
AK	10	5.1	4	$50,293	$77	13	$15,088	45
AL	49	0.7	49	$715,544	$32	36	$43,809	5
AR	113	2.2	22	$848,344	$49	24	$22,522	32
AZ	31	0.8	46	$124,015	$10	49	$12,001	46
CA	259	0.8	47	$1,858,262	$18	47	$21,524	34
CO	130	2.6	14	$1,184,872	$72	15	$27,343	22
CT	152	2.3	21	$544,768	$25	43	$10,752	49
DC	10	1.4	30	$68,818	$30	39	$20,645	37
DE	29	2.4	16	$356,423	$88	8	$36,871	8
FL	402	1.8	25	$4,523,452	$61	20	$33,757	12
GA	108	1.1	41	$2,187,400	$66	17	$60,761	2
HI	29	2.6	13	$169,136	$46	27	$17,497	42
IA	131	1.9	23	$754,081	$33	34	$17,269	43
ID	44	3.6	6	$331,230	$81	11	$22,584	30
IL	282	1.4	31	$1,933,371	$30	40	$20,568	38
IN	199	1.7	27	$2,180,695	$56	22	$32,875	14
KS	175	3.5	7	$1,314,819	$78	12	$22,540	31
KY	174	2.6	15	$3,396,681	$150	2	$58,563	3
LA	104	1.4	34	$681,448	$27	42	$19,657	40
MA	298	2.7	12	$2,169,574	$58	21	$21,841	33
MD	96	1.3	35	$1,076,079	$45	28	$33,627	13
ME	17	1.0	43	$61,170	$11	48	$10,795	48
MI	362	3.1	8	$3,814,807	$100	5	$31,614	16
MN	99	1.4	33	$702,011	$29	41	$21,273	36
MO	131	1.2	40	$1,373,017	$37	31	$31,443	17
MS	74	1.6	29	$494,410	$32	37	$20,044	39
MT	62	5.2	3	$816,238	$206	1	$39,495	7
NC	319	2.9	9	$4,329,513	$120	4	$40,716	6
ND	13	0.8	48	$99,833	$19	46	$23,038	28
NE	34	1.0	42	$352,608	$32	35	$31,113	18
NH	8	0.4	52	$29,297	$5	51	$10,987	47
NJ	115	0.9	45	$983,361	$23	45	$25,653	24
NM	45	2.7	11	$517,916	$93	7	$34,528	11
NV	11	0.6	50	$17,868	$3	52	$4,873	52
NY	144	0.5	51	$791,378	$8	50	$16,487	44
OH	271	1.3	36	$2,257,543	$31	38	$24,991	25
OK	127	2.3	18	$910,036	$50	23	$21,497	35
OR	91	4.0	5	$721,362	$95	6	$23,781	27
PA	215	1.0	44	$2,624,041	$35	33	$36,615	9
PR	7	16.0	1	$12,300	$85	9	$5,272	51
RI	28	1.2	37	$275,562	$36	32	$29,524	19
SC	120	2.4	17	$1,280,527	$76	14	$32,013	15
SD	24	1.4	32	$223,562	$40	30	$27,945	21
TN	98	1.2	39	$1,904,634	$70	16	$58,305	4
TX	517	1.9	24	$4,279,144	$46	26	$24,831	26
UT	40	2.3	19	$252,645	$44	29	$18,948	41
VA	144	1.7	26	$1,718,867	$61	19	$35,810	10
VT	17	2.3	20	$59,392	$24	44	$10,481	50
WA	258	5.5	2	$2,248,195	$144	3	$26,142	23
WI	108	1.6	28	$1,048,001	$47	25	$29,111	20
WV	34	1.2	38	$773,897	$83	10	$68,285	1
WY	20	2.9	10	$152,164	$66	18	$22,825	29

Figure 10: Fine rates and severity by state (2018-20).

	Total fines	Annual fines per 1k residents	Rank: Annual fines per 1k residents	Annual total amount in fines ($)	Annual amount in fines ($) per resident	Rank: Annual amount in fines ($) per resident	Average $ per fine	Rank: Average $ per fine
Region 1	520	2.1	3	$3,139,763	$39	8	$18,114	10
Region 2	266	0.6	10	$1,787,039	$12	10	$20,155	8
Region 3	528	1.2	8	$6,618,125	$46	4	$37,603	2
Region 4	1,344	1.8	5	$18,832,160	$76	2	$42,036	1
Region 5	1,321	1.7	7	$11,936,428	$46	5	$27,108	4
Region 6	906	1.9	4	$7,236,889	$46	6	$23,963	7
Region 7	471	1.8	6	$3,794,525	$43	7	$24,169	6
Region 8	289	2.5	2	$2,729,315	$70	3	$28,332	3
Region 9	330	0.9	9	$2,169,281	$17	9	$19,721	9
Region 10	403	4.8	1	$3,351,080	$120	1	$24,946	5

CMS Regional Locations

Sources:
Penalties (Downloaded March 2021).
MDS 3.0 Frequency Reports (2018-20). See "Identification Information – Gender (A0800)."

Notes:
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Figure 25: Fine rates and severity by region (2018-20).

Interactive charts and maps are available at https://nursinghome411.org/survey-data-report/.