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



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.

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

Broken Promises: An Assessment of Federal Data on Nursing Home Oversight

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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



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

Sources:

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

Notes:

Fines, also known as Civil Monetary Penalties (CMPs) are a critical tool for holding nursing homes accountable for substandard care, abuse, and neglect.



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