

II. Data and Analysis

Overall Citations

Introduction

- Fundamentally, a state’s oversight of nursing home care boils down to two components: (1) its ability to identify and cite a facility when a failure to meet standards (i.e., a deficiency) exists and (2) its ability to appropriately rate the deficiencies it finds in terms of their “scope and severity.”
- This section provides baseline information on the extent to which states are substantiating problems and identifying when they result in harm or immediate jeopardy to one or more residents (i.e., a rating of G or higher in the federal scope and severity grid).¹⁵ It contains state and regional data on overall citations including key findings, a map data visualization, and tables.
- The accurate identification and rating of harm or immediate jeopardy is crucial because, in the absence of such a finding, it is highly unlikely that the facility will be penalized for the substandard care, abuse, or neglect. In other words, a facility will generally face no negative repercussions for substandard care unless harm or immediate jeopardy are identified by the state survey agency.

Key Findings

- Annually, surveyors substantiated one violation for every 13 nursing home residents in the three-year period from 2018 to 2020 (0.07 citations per resident per year).
- Of the 290,289 total citations over three years, 95% were identified as causing neither harm nor immediate jeopardy to *any* resident in the facility (5% were categorized as Harm (G or above), including 1.8% of citations that were Immediate Jeopardy (J or above)).
- Infection Prevention & Control (F880) citations accounted for 7.8% of all deficiencies. As the U.S. Government Accountability Office noted in a May 2020 report, “most nursing homes were cited for infection prevention and control deficiencies (82% of those surveyed from 2013-2017). About half of these homes had persistent problems and were cited across multiple years.”¹⁶

¹⁵ See the Appendix for the scope and severity grid used by surveyors to rate deficiencies. For more information on the role of the state survey agencies, see “[A Practical Guide to the State Operations Manual](https://www.nursinghome411.org/survey-enforcement),” available at [nursinghome411.org/survey-enforcement](https://www.nursinghome411.org/survey-enforcement).

¹⁶ *Infection Control Deficiencies Were Widespread and Persistent in Nursing Homes Prior to COVID-19 Pandemic*, GAO-20-576R (May 20, 2020). Available at <https://www.gao.gov/products/gao-20-576r>.

- Antipsychotics (F758), Pressure Ulcers (F686), and Resident Rights (F550) are issues of concern to both state and federal policymakers (not to mention residents and their families). Yet they only accounted for roughly 2% of citations (each).
- Though most U.S. nursing homes persistently fail to meet CMS's threshold for safe staffing, Sufficient Staffing (F725) accounted for just 1% of citations.
- Quality of Life (F675) is crucial for residents and an essential component of the federal requirements for nursing homes. Yet violations of a resident's right to a decent quality of life and treatment with dignity accounted for only 0.1% of citations.

State Findings

- State citation levels and identification of harm or immediate jeopardy (G+ on the scope and severity scale) varied considerably.
- State enforcement in both citation rates and identification of harm or immediate jeopardy were largely consistent across the categories of nursing home care evaluated in this study.
- In an average year in New York, which had the lowest citation rate in the country, there was one citation for every 50 residents. In Alaska, which had the highest citation rate in the country, there was one citation for every four residents.
- Our analysis did not reveal a strong association between a state's enforcement frequency (citation rate) and the likelihood that it would identify resident harm or immediate jeopardy when making a citation.
- New Jersey and New York, both of which are in CMS Region 2, ranked in the bottom-quintile in most citation rate metrics evaluated in this report.

Regional Findings

- As with the states, regional enforcement rates and the extent to which harm or immediate jeopardy were identified varied considerably. Regional performance was often consistent across the categories we assessed.
- Region 2 ranked at the bottom on most enforcement metrics. Region 10 ranked first or second in most enforcement metrics. Region 10 is the least populated CMS region.

Data: Map and Tables

Total Citation Rate and Severity by State (2018-20)

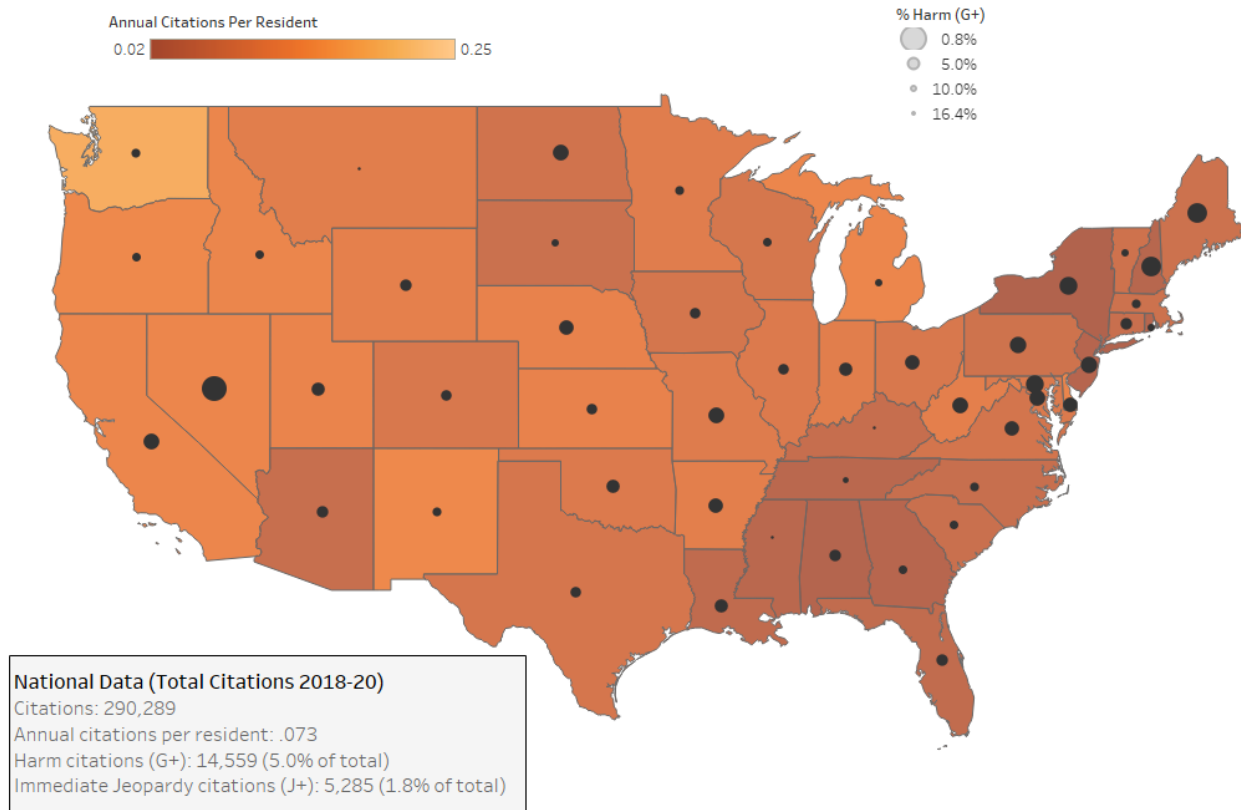


Figure 2: Annual citations per resident during the three-year period from 2018-20. Darker shades indicate lower citation rates; larger circles indicate lower proportion of Harm (G+) citations. See *Figure 3* for info on Alaska, Hawaii, and Puerto Rico.

	Annual Citations per resident	Rank: Citations per resident	Harm citations (G or higher)	% Harm (G+)	Rank: % Harm	Immediate Jeopardy Citations (J or higher)	% IJ	Rank: % IJ
AK	0.25	1	11	2.3%	45	3	0.6%	44
AL	0.02	51	74	4.7%	28	62	3.9%	7
AR	0.10	16	190	3.6%	36	150	2.8%	12
AZ	0.06	40	104	5.1%	27	13	0.6%	43
CA	0.12	6	1,032	2.7%	43	318	0.8%	37
CO	0.08	25	262	6.3%	19	39	0.9%	33
CT	0.06	39	174	4.7%	29	30	0.8%	38
DC	0.08	26	16	2.9%	40	4	0.7%	40
DE	0.12	10	54	3.8%	34	14	1.0%	32
FL	0.05	43	523	5.1%	26	373	3.7%	9
GA	0.03	49	227	8.0%	10	166	5.9%	4
HI	0.07	33	40	5.4%	24	9	1.2%	28
IA	0.08	29	300	5.7%	23	120	2.3%	19
ID	0.12	9	122	8.4%	9	26	1.8%	22
IL	0.09	22	1,074	6.0%	21	136	0.8%	39
IN	0.10	18	481	4.2%	31	149	1.3%	27
KS	0.11	12	351	6.2%	20	147	2.6%	15
KY	0.05	42	593	16.4%	1	381	10.6%	1
LA	0.04	44	133	4.0%	33	80	2.4%	17
MA	0.06	36	491	6.9%	17	66	0.9%	34
MD	0.09	23	137	2.1%	47	72	1.1%	31
ME	0.06	35	18	1.6%	49	7	0.6%	45
MI	0.12	8	1,191	8.6%	5	284	2.1%	20
MN	0.10	19	511	7.2%	14	189	2.7%	14
MO	0.10	20	300	2.8%	41	97	0.9%	35
MS	0.03	45	194	12.2%	3	145	9.1%	2
MT	0.10	17	151	12.7%	2	22	1.8%	21
NC	0.05	41	413	7.0%	16	236	4.0%	6
ND	0.07	31	33	3.0%	39	7	0.6%	42
NE	0.11	13	122	3.4%	38	33	0.9%	36
NH	0.03	47	8	1.4%	50	4	0.7%	41
NJ	0.03	50	75	2.2%	46	52	1.6%	23
NM	0.13	5	139	6.6%	18	58	2.7%	13
NV	0.12	7	16	0.8%	52	10	0.5%	47
NY	0.02	52	119	2.0%	48	26	0.4%	49
OH	0.08	24	654	3.6%	35	246	1.3%	26
OK	0.09	21	223	4.5%	30	69	1.4%	25
OR	0.13	4	231	8.0%	11	73	2.5%	16
PA	0.07	32	382	2.5%	44	54	0.4%	51
PR	0.20	2	1	1.1%	51	0	0.0%	52
RI	0.03	48	57	8.6%	6	31	4.7%	5
SC	0.06	38	226	7.6%	12	69	2.3%	18
SD	0.06	37	85	8.4%	8	12	1.2%	29
TN	0.03	46	271	9.8%	4	175	6.3%	3
TX	0.08	28	1,282	5.8%	22	649	3.0%	11
UT	0.12	11	82	4.1%	32	9	0.5%	48
VA	0.07	30	216	3.4%	37	38	0.6%	46
VT	0.07	34	41	8.5%	7	18	3.7%	8
WA	0.18	3	614	7.1%	15	99	1.2%	30
WI	0.08	27	395	7.4%	13	171	3.2%	10
WV	0.10	15	82	2.8%	42	41	1.4%	24
WY	0.11	14	38	5.2%	25	3	0.4%	50

Figure 2: Citation rate and severity by state (2018-20).

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

	Annual Citations per resident	Rank: Citations per resident	Harm citations (G or higher)	% Harm (G+)	Rank: % Harm	Immediate Jeopardy Citations (J or higher)	% IJ	Rank: % IJ
Region 1	0.06	8	789	5.8%	5	156	1.1%	6
Region 2	0.02	10	195	2.1%	10	78	0.8%	8
Region 3	0.08	7	887	2.7%	9	223	0.7%	10
Region 4	0.04	9	2,521	8.0%	1	1,607	5.1%	1
Region 5	0.09	4	4,306	5.8%	4	1,175	1.6%	3
Region 6	0.08	6	1,967	5.2%	6	1,006	2.7%	2
Region 7	0.10	3	1,073	4.3%	7	397	1.6%	4
Region 8	0.09	5	651	6.4%	3	92	0.9%	7
Region 9	0.11	2	1,192	2.8%	8	350	0.8%	9
Region 10	0.16	1	978	7.3%	2	201	1.5%	5



Sources:

CMS Health Deficiencies (Downloaded March 2021; excludes surveys before 2018 and after 2021).
MDS 3.0 Frequency Reports (2018-20). See "Identification Information - Gender (A0800)."

Notes:

Annual citations per resident from 2018-20.
Harm: citation rated G or above.
Immediate Jeopardy (IJ): citation rated J or above.



Figure 3: Citation rate and severity by region (2018-20).

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