

# LONG TERM CARE COMMUNITY COALITION

*Advancing Quality, Dignity & Justice*

## MEMO IN SUPPORT OF NEW YORK STATE LEGISLATURE BILLS A05842/ S05269

### TIME FOR NY TO INVEST IN MAXIMUM NURSING HOME CARE, NOT MAXIMUM OPERATOR PROFITS

Federal requirements mandate that nursing homes have sufficient staff, with the appropriate competencies, to meet the clinical, emotional, and psychosocial needs of every resident every day. Unfortunately, understaffing is a widespread and persistent problem that has only become worse since the start of the COVID-19 pandemic.

The reason for this is **that too many nursing homes put maximizing profits over providing even essential services and basic dignity to their residents**. We call this the “Misery Index”: nursing homes can make more money by providing miserable conditions for residents and care staff. The solution is simple: decrease opportunities for operators to profiteer off of poor care and miserable working conditions.

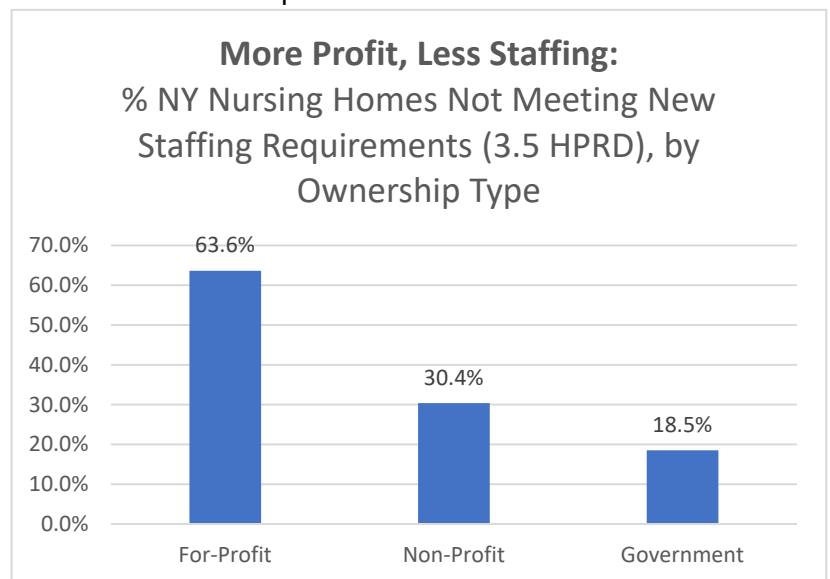
#### The Nursing Home Misery

**Index:** The less money an operator spends on ensuring that residents are safe, comfortable, and treated with dignity the more money they can make.

“We are thankful to New York State’s legislative leaders for passing laws last year to limit profits and require minimum staffing, and to Governor Hochul for implementing these laws at the end of March,” said Richard Mollot, LTCCC’s executive director. “However, these improvements do not resolve the basic problem of predatory operators who are buying up our nursing homes and squeezing out profits in increasingly sophisticated ways. The time has come to stop further intrusion of for-profits in New York’s nursing home sector.”

### The Case For NYS Bills [A05842/](#) [S05269](#): Stopping Future Nursing Homes Sales to For-Profit Companies

- Studies over many years have consistently found that **for-profit nursing homes spend less money on care and have lower staffing** than government-owned and non-profit facilities.
- [Research](#) has shown that **for-profit homes have had worse COVID-19 outcomes** than nonprofit homes.
- As the chart to the right shows, **for-profit nursing homes are...**
  - More than **twice as likely to fail to meet New York’s new staffing requirement than non-profit homes**.
  - More than **three times as likely to fail to meet New York’s new staffing requirement than government-owned homes**.



CMS data, November 2021