

SENIOR CARE POLICY BRIEFING



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NEWSFLASH

- [Nursing home industry lobbyists](#) are pushing Congress and the Biden Administration for low or no safe staffing standards, claiming that nursing homes are in dire financial straits. However, the industry's own reporting tells a different story. According to Mcknight's (an industry publication):
 - Long-term care is seeing [record-level merger and acquisition activity](#).
 - [Prices for nursing home care grew](#) the fastest in June among the major healthcare categories.
- A staffing standard has not even been announced, but the US's biggest lobby association for nursing homes has [already stated its intent to sue](#) to stop safe staffing legislation. Rather than provide a place that families can trust and residents can receive care with dignity, the industry would prefer to make more money.


LTC BY THE NUMBERS

- **Consumer Costs Up, Quality Down.** Acquisitions in the US seniors housing and senior care sector are at record levels. [A new paper in an international medical journal](#) reveals that such transactions often lead to increased costs for patients and payers and a decline in care quality.
- **Ageing in Place.** [A survey conducted](#) in March 2023 shows that 93% of adults aged 55 and older aim to age in place, stating that "the ability to live in one's own home and community safely, independently, and comfortably, regardless of age, income, or ability level" is an important goal.
- **4.1 Minimum.** If you ask us, it's ALWAYS the right time for safe staffing. [Higher nurse staffing levels](#) at nursing facilities during the COVID-19 pandemic were associated with better care and fewer resident deaths while lower staffing levels led to harm and fatalities. Studies consistently show that increased nurse staffing improves resident outcomes. Meaningful staffing standards are key to protecting vulnerable populations in nursing homes.

GET THE FACTS

- Time is of the essence for state inspectors tasked with substantiating severe deficiencies such as physical abuse, sexual assault, or inadequate medical care. Unfortunately, understaffing in inspection agencies is leading to unchecked resident neglect, [according to a Senate report](#). "It's just like a police or criminal investigation," Peter Gartrell (author of the report) said in [LTCCC's July webinar](#). "The trail of evidence goes cold, and the fear is that this trail is going cold for too many residents and families before nursing home inspectors can arrive on the scene."
- [A popular nursing home trade publication contends](#) that traditional quality care measures, such as staff turnover, are poor indicators of care quality because they "ignore the realities" of the nursing home staffing crisis. **We disagree.** The truth is these measures can capture the realities perpetuated by predatory operators who exploit staff with low salaries and poor working conditions.

Provider Name	Surplus Income Under 5% Profit Cap	Surplus Income Under 70/40 Spending Mandate	Total Surplus Income
Beth Abraham Center for Rehabilitation and Nursing	N/A	\$1,415,000	\$1,415,000
Buffalo Center for Rehabilitation and Nursing	N/A	\$4,975,000	\$4,975,000
Holliswood Center for Rehabilitation and Healthcare	\$297,000	\$4,911,000	\$5,208,000
Martine Center for Rehabilitation and Nursing	N/A	\$2,275,000	\$2,275,000
TOTAL:	\$297,000	\$13,576,000	\$13,873,000

 [In 2021, more than 200 nursing homes sued New York State](#), seeking to stop implementation of a law requiring nursing homes to spend at least 70% of their revenue on resident care and limiting profits to 5%. Four of those nursing homes (listed above) are the subject of a major lawsuit recently filed by [NY AG James](#), alleging diversion of \$83M in taxpayer dollars. In other words, the same nursing homes suing to avoid financial accountability are now being sued for financial fraud and resident neglect.

Note: Table above based on data from 2021 lawsuit against NY State, available at [NursingHome411](#). Figures rounded to nearest thousand.



VISIT [NURSINGHOME411.ORG/JOIN](https://nursinghome411.org/join) OR SCAN QR CODE FOR THE ONLINE VERSION OF THIS BRIEF.

The Long Term Care Community Coalition is a non-partisan, non-profit organization dedicated to improving nursing home care.

Visit NursingHome411.org for the latest data on staffing levels and quality for every U.S. nursing home as well as resources on resident rights, quality standards, and more.