

# SENIOR CARE POLICY BRIEFING



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## NEWSFLASH: PLENTY OF \$\$ FOR SAFE STAFFING

- Florida nursing home owner Philip Esformes is headed back to court and will be retried by the Justice Department on six health care fraud charges, [the Washington Post reports](#). The trial will be held just a few years after Esformes' 20-year prison sentence was commuted by former President Donald Trump. Born to a family with deep roots in the nursing home industry, Esformes built a healthcare chain that funded a lavish lifestyle with luxury cars, private planes, multiple residences, and more. He was previously charged and convicted of orchestrating a \$1.3 billion Medicare fraud scheme, "[the largest health care fraud scheme charged by the U.S. Justice Department](#)."
- Though nursing homes cry poverty, the industry lobby association AHCA receives [\\$23 million a year in dues](#) and pays its CEO [\\$1.5 million per year](#) to fight safe staffing and other standards that would improve quality of care for residents and make nursing homes a better place to work. Meanwhile, [two-thirds of nursing home workers](#) say they struggle to afford basic expenses.

*"Setting aside nefarious intent, nursing home operators will behave in whatever way the system incentivizes them to."*

*-Dr. Sarguni Singh, researcher at University of Colorado Hospital, via [Mother Jones](#) investigation on Esformes.*

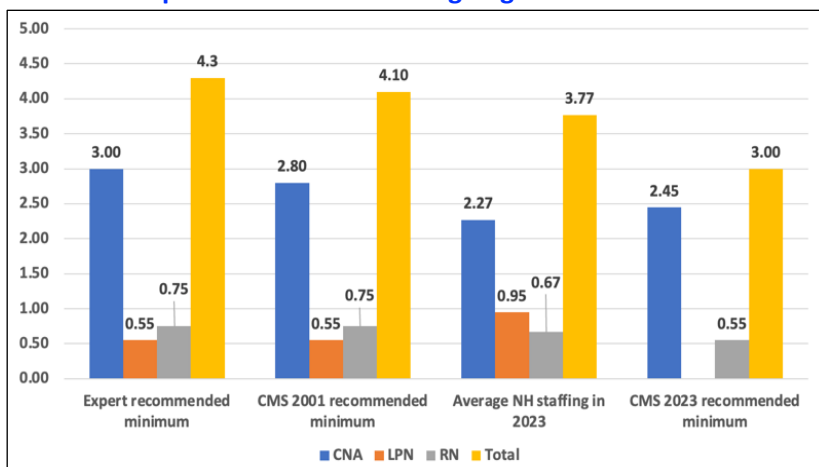
## LTC BY THE NUMBERS

- Pay Attention to Retention.** Nursing home industry lobbyists claim that they can't find staff to hire, but the real problem is staff retention. **The industry's staff turnover rate is 50%.**
  - [A recent study](#) highlights the significance of retaining experienced nurses and administrators in nursing homes alongside increasing staffing levels. The research found that reducing staff turnover significantly improves nursing home quality while increases in turnover are associated with increases in citations and declines in resident mobility and independence with daily activities.

## GET THE FACTS

- Nursing home lobbyists continue to [tell the public](#) that there will be vast "nursing home deserts" if we don't allow facilities to continue to provide substandard staffing. However, the reality is that nursing homes have been closing for years as more people access [home and community based services](#).
- [Only 6% of real estate investment trust \(REIT\) nursing homes](#) meet the proposed federal staffing standard, compared to the industry average of 19%. This indicates that **safer staffing is possible if funds are allocated appropriately.**

CMS Proposed Minimum Staffing Regulations Are Too Low



President Biden promised to reform nursing homes by setting a national minimum staffing standard. Unfortunately, the proposed regulations are shockingly low – below the level that the average nursing home currently provides. The starting point should have been 4.1 – a number that many studies have shown residents need just to meet basic clinical needs. ([Chart via Prof. Charlene Harrington, LTCCC's webinar, Sept. 2023](#))

