

SENIOR CARE POLICY BRIEFING



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NEWSFLASH

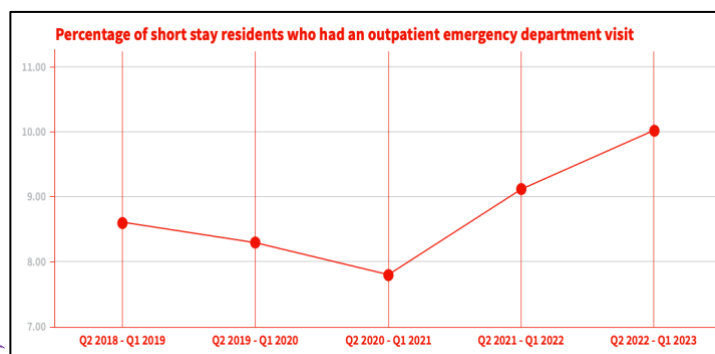
- A Circuit Court of Appeals [ruled against a group of nursing home owners and operators](#) attempting to move their COVID-related civil cases from a New Jersey state court to federal court. Six of the 13 US Circuit Courts have issued similar rulings, setting a legal precedent that may influence similar cases in other jurisdictions and potentially lead to more consistent outcomes for nursing home residents.
- An appellate court judge ruled that a plaintiff, acting as power of attorney for her deceased mother, is not bound by an arbitration agreement she signed. The ruling will allow the plaintiff's wrongful death case against the nursing home to proceed through the courts. This highlights the importance of careful scrutiny of arbitration agreements signed on behalf of residents. What an [industry publication](#) describes as "troubling outlook for providers" is a win for residents and their families who seek justice when faced with grossly substandard care.

LTC BY THE NUMBERS

- Amid persistent accounts of shockingly inadequate care and neglect in too many nursing homes, the industry is enjoying the highest price growth rate of any major health category.
 - ⇒ According to [Altarum's Health Sector Economic Indicators Briefs](#), prices for nursing home care rose 4.9% in January, nearly double the Health Care Price Index increase of 2.8%.
- The [number of confirmed COVID-19 cases](#) among nursing homes residents is nearing two million, highlighting ongoing challenges including vaccination fatigue and declining vaccination rates among residents.

GET THE FACTS

- While multi-million dollar lobby associations cry that funding is inadequate to provide decent care and fair wages, industry leaders tell investors about rosy conditions for nursing homes and assisted living providers.
 - ⇒ According to the CEO of [LTC Properties](#), a major Real Estate Investment Trust, 2023 was "a year of solid execution... We're entering 2024 with a stronger, more diversified portfolio and a strong balance sheet." [Quotes from an earnings call with investors, as reported by [McKnight's Senior Living](#).]
 - ⇒ [CareTrust REIT](#), a major Real Estate Investment Trust in the nursing home & assisted living sectors, is, [according to McKnight's](#), "holding a record stash of credit and cash, and... about to unleash a wave of spending on primarily skilled nursing acquisitions."



Following cuts to nursing home staffing requirements in Florida, federal data reveals a mixed record on nursing home care quality, particularly for short-term residents needing rehabilitation. The data show that one in four short-term residents were re-hospitalized and nearly one in ten were transferred to emergency departments. Long-term care residents also experienced a significant rise in unplanned hospitalizations, suggesting a broader decline in nursing home care quality. Chart via [AARP Florida report](#).

Would sophisticated investors like REITS, LLCs, and other private enterprises be buying up nursing homes if they weren't profitable?

