

LONG TERM CARE COMMUNITY COALITION

Advancing Quality, Dignity & Justice

UNITED STATES SENATE SPECIAL COMMITTEE ON AGING
HEARING ON
“AWARENESS TO ACTION: COMBATING ELDER ABUSE & NEGLECT”
JULY 30, 2025

WRITTEN TESTIMONY SUBMITTED BY
LONG TERM CARE COMMUNITY COALITION

WWW.NURSINGHOME411.ORG

AUGUST 4, 2025

I. Introduction

The Long Term Care Community Coalition (LTCCC)¹ is a national non-profit, non-partisan organization dedicated to improving care and quality of life for residents in nursing homes and assisted living. Through vigorous research, we assess long-term care policies and evaluate whether essential standards of care are effectively upheld for residents, who are often elderly and frail.

LTCCC educates and empowers residents, families, and caregivers by equipping them with knowledge of their rights and the tools needed to navigate the challenges of long-term care. Our work is driven by the fundamental belief that every senior deserves safe, dignified, and high-quality care.

Abuse, neglect, and exploitation remain disturbingly common in long-term care settings where residents depend on others for even the most basic human needs. Incidents of physical, emotional, and sexual abuse are routinely documented in state inspection reports, and yet, far too often, these violations go unreported, unpunished, and uncorrected. Residents suffer in silence while systemic enforcement failures allow harm to persist, and in some cases, worsen.

Furthermore, despite the growing complexity of resident care needs, programs designed to protect vulnerable older adults, such as the Long-Term Care Ombudsman Program (LTCOP) and Adult Protective Services (APS), have long been under-resourced, limiting their ability to identify and address abuse in a timely and consistent way.

LTCCC commends the Special Committee on Aging for holding this hearing to examine the persistent and devastating issue of elder abuse in the United States.

II. Federal Reporting Requirements Under the Elder Justice Act

The Elder Justice Act, enacted as part of the Affordable Care Act in 2010, established a clear and powerful mandate to protect nursing home residents from crimes. Under these provisions, all individuals who work in a federally certified nursing home, including direct care staff, administrators, and contractors, are legally obligated to report any reasonable suspicion of a crime against a resident to both local law enforcement and the state survey agency.² This is one of the most direct and meaningful tools we have to shine a light on abuse and neglect in nursing homes and to ensure appropriate criminal investigation and accountability.

However, more than a decade since its enactment, we are not aware of any meaningful enforcement of this provision. According to publicly available data, no citations for failing to report suspected crimes have been issued at a severity level likely to result in any penalty in at least the last three years. Without consequences for noncompliance, this statutory protection remains effectively unenforced, leaving residents unprotected and abusers unaccountable.

We urge the Committee to call on the Centers for Medicare & Medicaid Services (CMS) and state survey agencies to prioritize enforcement of this vital provision of the Elder Justice Act and to increase transparency around complaint investigations and referrals to law enforcement.

¹ <https://nursinghome411.org/>.

² See <https://nursinghome411.org/ltccc-report-abuse-neglect-crime/>.

III. Failures to Enforce Abuse Prevention Requirements

In addition to the lack of enforcement for crime reporting, we are deeply concerned by the systemic failure to hold facilities accountable for noncompliance with abuse prevention standards. Every federally certified nursing home is required to “develop and implement policies and procedures to prevent abuse, neglect, and theft.” Yet, as with the crime-reporting provision, citations for failure to meet this requirement are rarely, if ever, issued at a level that is likely to result in any penalty whatsoever. The failure to enforce these vital protections enables a dangerous culture of impunity – one in which perpetrators of abuse may go undetected, unreported, and unpunished.

We urge the Committee to examine the extent to which state survey agencies are fulfilling their responsibilities under federal law, and to consider measures that would support stronger, more consistent enforcement nationwide.

IV. Gaps in Oversight for Assisted Living

While nursing home residents are entitled to federal protections under the Nursing Home Reform Act and the Elder Justice Act, there are no federal regulations that address the safety of residents in assisted living facilities. With over one million residents in assisted living nationally, many of them with moderate to severe dementia and growing care needs, this is a glaring oversight in federal elder justice policy. In most states, safety standards are minimal, reporting requirements are vague, and monitoring and enforcement are even weaker than they are in nursing homes. As a result, abuse and neglect in assisted living facilities often go unnoticed, unreported, and unaddressed. Seniors and their families don’t even have the ability to see if an assisted living they are considering has a history of resident abuse or exploitation.

We respectfully urge the Committee to consider expanding federal standards and data collection in assisted living, with a particular focus on transparency, resident rights, and abuse prevention.

V. Recommendations

To advance elder justice and strengthen protections against abuse, we respectfully urge the Committee to:

1. **Hold CMS and state survey agencies accountable** for enforcing existing abuse-prevention and crime-reporting regulations in nursing homes.
2. **Require comprehensive and accessible public reporting of citations and enforcement actions** related to abuse, neglect, and crime in all long-term care settings, including assisted living.
3. **Expand federal protections and oversight to assisted living facilities**, with attention to resident safety and dignity, staff qualifications, and transparency.
4. **Support robust funding for the Long-Term Care Ombudsman Program** through the Older Americans Act, to ensure residents have access to independent advocacy and complaint resolution.
5. **Reauthorize and fully fund Elder Justice Act programs**, including Adult Protective Services, the National Center on Elder Abuse, and state-level elder justice coalitions.
6. **Promote access to data and transparency tools** for residents, families, and the public.

VI. Conclusion

Elder abuse is not a series of isolated incidents. It is a systemic crisis enabled by weak oversight, inconsistent enforcement, and dangerous gaps in protections. The ongoing failure to fully fund elder justice initiatives, including ombudsman services, APS, and public education programs, further undermines the protections Congress has worked to establish. These programs serve as lifelines for residents and their families, and they are often the only point of contact when abuse or neglect is suspected. If we are serious about preventing harm, we must invest in the infrastructure that allows oversight and support systems to function.

We applaud the Committee for shining a light on elder abuse and thank you for your ongoing work to uphold the safety, dignity, and rights of older Americans. We hope these comments provide helpful context on the systemic challenges and opportunities for action in the long-term care sector. We are always available to serve as a resource to the Committee on these critical issues.

Thank you for your consideration of our testimony and the issues raised herein. We look forward to supporting the Committee's ongoing efforts to advance elder justice in all care settings.

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