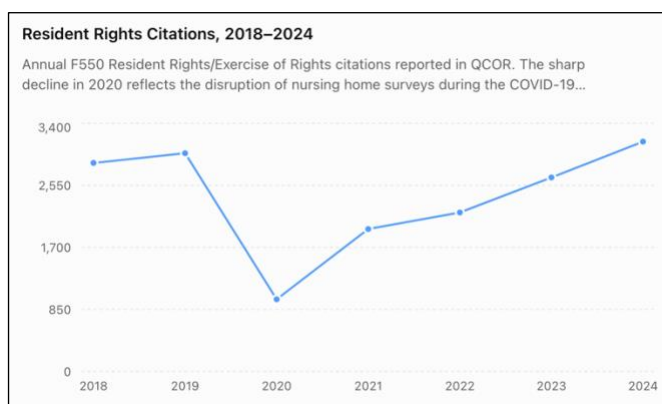


Resident Rights and Dignity: Identifying Violations and Resident Harm

Federal nursing home standards require facilities to protect and promote the rights of every resident and to provide care and services in an environment that maintains or enhances each resident's dignity, autonomy, and quality of life. These are not aspirational goals. **Resident rights and dignity standards are among the fundamental requirements that nursing homes are paid to provide.**

To ensure that these requirements are implemented in the lives of residents, the federal standards are intentionally resident-centered. CMS guidance directs facilities to treat residents with respect and dignity, honor their choices and preferences, respect their privacy, respond to requests for assistance in a timely manner, and support residents in exercising their rights without interference, coercion, discrimination, or reprisal.³⁹ In 2009, to address the continued persistence of degrading care and conditions, CMS announced a “sharpened focus” in nursing home surveys on dignity, individual choice, accommodation of needs and preferences, and quality of life.⁴⁰



Source: CMS QCOR data; LTCCC analysis. Guam excluded consistent with study methodology.

Importantly, **federal guidance explicitly recognizes that violations of these rights can harm residents even in the absence of physical injury.** CMS specifically directs surveyors that “the survey team must consider the potential for both physical and psychosocial harm when determining the scope and severity of deficiencies related to dignity.” Humiliation, fear, emotional distress, loss of self-worth, and loss of autonomy are therefore expected to be relevant factors in determining the seriousness of a violation.

FINDING: RESIDENT-RIGHTS CITATIONS INCREASED TO PRE-PANDEMIC LEVELS BUT REMAIN LOW

State survey agencies issued 2,177 F550 Resident Rights/Exercise of Rights citations in 2022, 2,657 in 2023, and 3,147 in 2024. This represents a 45% increase over the study period, to a level slightly higher than pre-pandemic levels. Nevertheless, even at the 2024 level, **citations for violations of resident rights remained relatively uncommon.** Despite resident rights being a

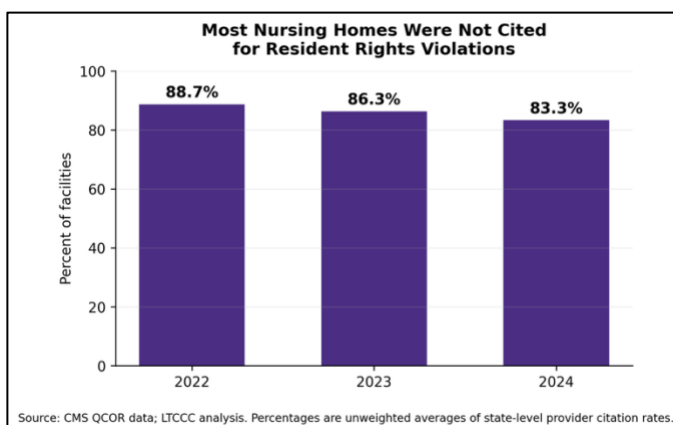
³⁹ Centers for Medicare & Medicaid Services, *State Operations Manual, Appendix PP — Guidance to surveyors for long term care facilities*, F550, Resident Rights/Exercise of Rights, 42 C.F.R. § 483.10(a)–(b). https://www.cms.gov/regulations-and-guidance/guidance/manuals/downloads/som107ap_pp_guidelines_ltcf.pdf.

⁴⁰ Centers for Medicare & Medicaid Services, *New Medicare nursing home guidance to include quality of life and environment requirements* (2009). <https://www.cms.gov/newsroom/press-releases/new-medicare-nursing-home-guidance-include-quality-life-environment-requirements>.

persistent and widespread concern for residents and families,⁴¹ surveyors issued only about 2.6 F550 citations per 1,000 nursing home residents in 2024.⁴² This is particularly notable in light of CMS's 2009 announcement that it was directing state agencies to sharpen their focus on ensuring resident dignity, choice, and quality of life.

Provider-level data also provide an important perspective on the extent to which states are – or are not – identifying resident rights deficiencies. In

2022, close to 90% of nursing homes were deemed by state survey agencies to have no violations of federal resident rights requirements. Identification rates increased in each of the following two years. However, even with that increase, state survey agencies deemed 83% of nursing homes to have no violations of federal resident rights requirements in 2024 — a striking finding given the breadth of those protections and longstanding concerns about residents being subjected to demeaning or inhumane treatment.



FINDING: WHERE A RESIDENT LIVES MATTERS — IDENTIFYING RIGHTS VIOLATIONS

Citation rates varied enormously among states. Across the three study years, **Iowa issued approximately 7.0 F550 citations per 1,000 nursing home residents**, followed by Michigan (5.0), Oregon (4.2), Illinois (3.6), and California (3.6). At the other end of the spectrum, **Alabama issued approximately 0.35 citations per 1,000 residents**, followed by Kentucky (0.55), New York (0.71), New Jersey (0.85), and Florida (0.88).

The provider data reveal similarly striking differences. In 2024, surveyors identified F550 violations in **32.4% of active nursing homes in Vermont, 29.8% in California, 29.1% in Illinois, and 28.5% in Iowa**. On the other end of the spectrum, Alabama surveyors cited approximately **1.3% of active nursing homes**.



FINDING: SURVEYORS ALMOST NEVER IDENTIFY ACTUAL HARM WHEN THEY FIND RESIDENT-RIGHTS VIOLATIONS

The severity findings raise even more significant concerns.

⁴¹ See, for example, Troyer, J. and Sause, W., “Association between Traditional Nursing Home Quality Measures and Two Sources of Nursing Home Complaints,” *Trust HSR: Health Services Research* 48:4 (2013), <https://pmc.ncbi.nlm.nih.gov/articles/PMC3725524/pdf/hesr0048-1256.pdf>, which found that resident rights were the third most common complaints made to the North Carolina LTC Ombudsmen Program.

⁴² Based on 2024 Q4 resident census data.

Of the **2,177 F550 citations issued nationwide in 2022, only 69 — 3.2% — were classified at G or above.** This means that 97% of the time that surveyors substantiated a resident rights violation in 2022 they found that not a single resident suffered any physical or psychosocial harm (or immediate jeopardy) as a result. In 2023, surveyors identified harm or immediate jeopardy in **61 of 2,657 citations — 2.3%.** In 2024, only **64 of 3,147 citations — 2.0% — were classified at G or above.**

Thus, while the number of resident-rights violations identified by surveyors increased 45% between 2022 and 2024, the number in which surveyors identified actual harm or immediate jeopardy actually declined slightly, from 69 to 64.

These findings are particularly important because the federal survey guidance expressly rejects the notion that harm must be physical. CMS directs surveyors assessing dignity violations to consider both physical and psychosocial harm. This recognizes the reality that being humiliated, ignored, deprived of meaningful choice, or treated without respect, can have consequential effects on a resident even when those effects do not manifest as a physical wound or injury.

Not every F550 violation necessarily results in actual harm. But against CMS's explicit instruction to consider psychosocial consequences, **the classification of approximately 98% of substantiated resident-rights violations as below actual harm warrants serious scrutiny.** The finding raises questions about whether the survey system is adequately recognizing the impact that violations of dignity, autonomy, and other fundamental rights have on residents' quality of life and well-being.

	2022	2023	2024
F550 citations	2,177	2,657	3,147
Citations per 1,000 residents	1.85	2.20	2.57
G+ citations	69	61	64
G+ rate	3.2%	2.3%	2.0%
Cited below actual harm	96.8%	97.7%	98.0%

The severity determination also has important practical consequences. As discussed elsewhere in this report, deficiencies cited below actual harm are highly unlikely to result in a penalty. Fundamentally, the result is a clear message to the nursing home industry: they will be paid – and face little fear of penalty – for care, treatment, and services that violate resident rights protections.

FINDING: WHERE A RESIDENT LIVES MATTERS — IDENTIFYING HARM

State differences in the identification of harm were extraordinary. Across the three study years, **North Carolina classified 66 of 301 F550 citations — 21.9% — at G or above,** while Colorado classified **19 of 89 — 21.3% — at G+.** The next-highest state among those with substantial numbers of citations was Missouri, at approximately 5.2%.

At the other end of the spectrum, numerous states identified **no F550 violations at actual harm or immediate jeopardy during the entire three-year period**. These included **Pennsylvania, despite 395 F550 citations; Massachusetts, despite 203; Florida, despite 190; Minnesota, despite 173; Connecticut, despite 127; Louisiana, despite 112; Georgia, despite 108; and West Virginia, despite 107**. In 2024, 32 states and Washington, DC identified every F550 violation they substantiated as not causing any resident harm or immediate jeopardy.

These differences should not be taken to mean that North Carolina or Colorado necessarily provide strong oversight. Even in those states, approximately four out of five F550 violations were classified as no harm. Rather, the findings illustrate both substantial interstate variation and a broader national pattern of limited to no identification of harm.

A clear message to the nursing home industry: they will be paid – and face little fear of penalty – for care, treatment, and services that violate resident rights protections.

For information on individual state performance, see the State Citation Frequency Resident Rights 2022 2023 2024.xlsx dataset at <https://nursinghome411.org/ltccc-enforcement-study-2026/>.