



NURSING HOME TRANSPARENCY AND IMPROVEMENT ACT INTRODUCED IN SENATE

Senators Chuck Grassley (R-Iowa) and Herb Kohl (D-Wisc.) have co-sponsored legislation (S. 2641) that is intended to improve the quality of nursing home care. Introduced on February 14, 2008, the Nursing Home Transparency and Improvement Act of 2008 would provide more information to consumers about nursing home quality, strengthen government enforcement actions and enhance staff training requirements. Supporting the proposal are the Service Employees International Union and the National Citizens' Coalition for Nursing Home Reform.

Among other matters, the bill would allow consumers to learn from the government's *Nursing Home Compare* Web site which nursing homes have a good enforcement track record, which are well-staffed and which are owned by companies with a reputation for providing excellent service. The bill would also require the development of a standardized complaint form and improved reporting of nursing staff information to allow for meaningful comparisons across facilities. To strengthen enforcement, S. 2641 would allow the government to impose a range of civil penalties of up to \$100,000 for a deficiency resulting in death, \$3,000-\$25,000 for deficiencies at an "actual harm" or "immediate jeopardy" level and not more than \$3,000 for other deficiencies. Under the measure, staff pre-employment training would be improved to include dementia management and abuse prevention.

When he introduced the bill, Senator Grassley called the bill "good for consumers, good for nursing home residents and good for the nursing home community." Senator Kohl noted that the federal government "now spends \$75 billion annually on nursing homes through Medicare and Medicaid, and spending is projected to rise as costs associated with the boomer generation increase. Congress has a responsibility to demand high quality services for residents and accountability from the nursing home industry in return for this huge investment of public resources."

The choice of a lawyer is an important decision and should not be based solely upon advertisements.

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For additional information about how this proposal may affect your business, please contact Carol Poindexter, co-chair of SHB's Health Law Practice, 816.559.2391 or cpoindexter@shb.com.