



FOR IMMEDIATE RELEASE

Contact: Taylor Harvey (202) 224-4515

July 23, 2019

Wyden Statement at Finance Committee Hearing on Nursing Homes and Elder Abuse
As Prepared for Delivery

The Finance Committee meets this morning to discuss what more can be done to protect seniors from abuse and neglect in nursing homes. Based on new reports from the Government Accountability Office and the Inspector General with purview over Medicare, there are two key issues for the committee to confront:

First, instances of physical, sexual, mental and emotional abuse in nursing homes appear to be on the rise. Second, the federal nursing home rating system does not accurately reflect the prevalence of that abuse. So when it comes to those cases, there are good nursing homes and there are bad nursing homes, and the government is failing to help consumers determine which is which.

So let me begin by outlining how the system is supposed to work. Everybody agrees that even one case of abuse in a nursing home is too many. Therefore, state agencies are in charge of conducting surveys of nursing homes and investigating reports of abuse. The Centers for Medicare and Medicaid Services is in charge of setting national standards and managing a nationwide rating system for nursing homes. State agencies and CMS are supposed to work in close communication with each other so that families can figure out which homes are safe. Today the committee will hear that the system is failing the elderly people it's supposed to protect.

GAO studied instances of abuse in nursing homes over a five year period from 2013 to 2017. Over that time, the recorded number of instances more than doubled. In a separate study, the HHS Office of Inspector General also concluded that thousands of cases of abuse in nursing homes are going unreported.

Then there's the issue of the broken rating system. The GAO study found abuse happened in homes of all ratings, top and bottom. A good rating did not indicate that a nursing home prevented abuse.

That brings me to the situation with my home state of Oregon. It was revealed during the GAO investigation that the state of Oregon went at least fifteen years without reporting information on cases of abuse or neglect to CMS. Fifteen years' worth of records of physical, verbal, mental and emotional abuse -- information that Oregonians needed to know in order to keep their loved ones safe -- unavailable on the nursing home rating system.

Somebody in Oregon who wanted to find out if a particular nursing home had abusive staff would have better luck reading the local police blotter. Their state and federal governments failed them.

In May, I wrote to CMS urging them to take two important steps. First, I said the Centers for Medicare and Medicaid Services ought to put a warning on its website that the nursing home rating system does not reflect cases of abuse in Oregon. And second, I wrote that they need to go back, work with the Oregon government to find all this missing information and fix the rating system so that it's useful and accurate. Anything short of that, in my view, puts elderly Oregonians in danger. CMS has not yet responded. I ask unanimous consent that my letter to CMS be included in the hearing record.

I'll close on this. There's no question that there are good nursing homes across the land staffed by hard-working individuals who excel at their jobs. But not every home meets that standard.

In the cases these new reports have studied, vulnerable seniors -- people living in nursing homes specifically because they cannot care for themselves -- were exposed to unforgivable treatment. Thousands of incidents of physical, verbal, mental and sexual abuse. Health care needs unmet. Squalid living conditions. This cannot go on. People in Oregon and across the country have a right to know which homes are safe and which homes are not.

I believe there's an opportunity for Democrats and Republicans to work together to find solutions on this issue. I know Chairman Grassley is determined to work toward that end. I hope the committee is able to uncover some ideas today.

###