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Violations Reported at 94% of Nursing Homes

By ROBERT PEAR
 Published: September 29, 2008

WASHINGTON — More than 90 percent of [nursing homes](#) were cited for violations of federal health and safety standards last year, and for-profit homes were more likely to have problems than other types of nursing homes, federal investigators say in a report issued on Monday.

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About 17 percent of nursing homes had deficiencies that caused “actual harm or immediate jeopardy” to patients, said the report, by Daniel R. Levinson, the inspector general of the [Department of Health and Human Services](#).

Problems included infected bedsores, medication mix-ups, poor [nutrition](#), and abuse and neglect of patients.

Inspectors received 37,150 complaints about conditions in nursing homes last year, and they substantiated 39 percent of them, the report said. About one-fifth of the complaints verified by federal and state authorities involved the abuse or neglect of patients.

About two-thirds of nursing homes are owned by for-profit companies, while 27 percent are owned by nonprofit organizations and 6 percent by government entities, the report said.

The inspector general said 94 percent of for-profit nursing homes were cited for deficiencies last year, compared with 88 percent of nonprofit homes and 91 percent of government homes.

“For-profit nursing homes had a higher average number of deficiencies than the other types of nursing homes,” Mr. Levinson said. “In 2007, for-profit nursing homes averaged 7.6 deficiencies per home, while not-for-profit and government homes averaged 5.7 and 6.3, respectively.”

On Monday, Mr. Levinson issued a compliance guide for nursing homes that says some homes “have systematically failed to provide staff in sufficient numbers and with appropriate clinical expertise to serve their residents.”

Researchers have found that people receive better care at homes with a higher ratio of nursing staff members to patients.

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The inspector general said he had found some cases in which nursing homes billed [Medicare](#) and [Medicaid](#) for services that “were not provided, or were so wholly deficient that they amounted to no care at all.”

Bruce A. Yarwood, president of the American Health Care Association, a trade group, said: “We know we have to do a better job. We have been doing a better job, in treating pressure sores, managing pain and reducing the use of physical restraints.”

Mr. Yarwood said that the inspection system was broken. “It does not reliably measure quality,” he said. “It does not create any positive incentives.”

More than 1.5 million people live in the nation’s 15,000 nursing homes. The homes are typically inspected once a year and must meet federal standards as a condition of participating in Medicaid and Medicare, which cover more than two-thirds of their residents, at a cost of more than \$75 billion a year.

Deficiency rates varied widely among states. The proportion of nursing homes cited for deficiencies ranged from 76 percent in Rhode Island to 100 percent in Alaska, Idaho, Wyoming and the District of Columbia.

The average number of deficiencies also varied, from 2.5 deficiencies per nursing home in Rhode Island to 13.3 per home in Delaware.

Mr. Yarwood said: “Inspectors are subjective and inconsistent. They interpret federal standards in different ways.”

In December, the Bush administration plans to begin using a five-star system to describe the overall quality of care. The best homes will get five stars. The rankings will be published on a federal Web site.

Medicare pays a fixed daily amount for each nursing home resident, with higher payments for patients who are more severely ill. Mr. Levinson said some nursing homes had improperly classified patients or overstated the severity of their illnesses so the homes could claim larger Medicare payments.



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