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## Place elderly in caring hands



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Family photo (Family photo)

By **Daily Press Editorial Board**

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## It is vital Virginia sets stricter nursing home regulations to protect residents from abuse

Scientists believe the first person who will live to 150 has already been born, meaning it's of particular importance that the latter years of our lives are placed in good hands.

For all the attention society gives to living healthier lifestyles, you would think its focus would eventually be directed toward the outcome our those choices. The reality is that many of us will end up living in nursing homes, being placed in the care of people hired to oversee our well-being.

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The abuse and neglect inflicted upon nursing home residents happens all too frequently in Virginia and even here in Hampton Roads.

Residents of Hampton Roads nursing homes are more likely than those elsewhere in the country to lose their ability to move around and to manage daily tasks such as eating, dressing and going to the toilet because of the neglect they suffer. Too often they suffer injuries from falls and open wounds from lying too long in one position.

One reason for this is because more than half of Hampton Roads nursing homes have fewer nurses and aides on the floor than the national average and exceed the average for health standards violations, according to a review of federal data by Daily Press and Virginian-Pilot reporters.

Families are given very few guarantees that residents will receive adequate treatment beyond the recommendations of others. And there are scant federal and state regulations that set baseline standards ensuring a minimum level of care in nursing homes.

This is not a new issue.

The federal Nursing Home Reform Act of 1987 set a standard, requiring one registered nurse director of nursing be on duty for eight hours a day, seven days a week, and one licensed practical nurse on evening and night shifts. Otherwise, it said homes were required to have “sufficient” staff, leaving nursing home operators leeway to determine staffing levels as they see fit.

While 41 states have set some additional standards, Virginia has not.

These are problems that require legislative solutions to ensure nursing homes have adequate staff, they are more frequently inspected and that both employees and operators are held accountable when patients are neglected and abused.

Nursing homes argue **Medicaid**, which covers most low-income residents’ care, doesn’t pay enough to cover costs. And Virginia has had some well-documented issues predicting nursing home costs billed to its Medicaid system.

But the argument rings hollow when you also factor **Medicare** payments into the equation. Consider a 2016 study by a team of medical professionals at Vanderbilt University (Nashville, Tenn.), the University of California at San Francisco and the University of British Columbia who reported nursing home profits from Medicare had ranged from 10% to 21% since 2010.

That same team reported inadequate nurse staffing was the basic reason for quality of care problems. That means many nursing home operators are intentionally choosing to under-staff facilities to keep up profit margins.

The shortage of staff is a significant problem in Hampton Roads.

Only 11 of Hampton Roads’ 57 nursing homes have enough registered nurses to provide 45 minutes of care a day for each resident, meaning the remaining 46 falls short of U.S. Centers for Medicare and Medicaid Services standards. Just five Hampton Roads homes meet a minimum recommended

standard set by the Medicare agency of employing enough nurse's aides to provide 168 minutes of care per patient per day.

Follow-up studies, weighing the actual needs of nursing home residents, suggest nursing homes provide an average of 65 minutes of registered nurse care per patient per day and 40 minutes of care by licensed practical nurses. The standards would reduce workloads for nurse's aides. Just 13 Hampton Roads homes would meet that lower standard though, and only five would meet the RN and LPN standard.

The **General Assembly** must step in to resolve these problems. Legislators must first ensure Medicaid reimbursements are in line with expenses. They must tighten staffing standards for these facilities, and they must create laws that deter nursing home staff and operators from neglecting and abusing residents.

One solution could mean that problem nursing homes work with third-party advocates installed in their facilities to ensure residents' are not neglected while also providing independent recommendations about how best to ensure resources are not wasted.

Contact your legislators to let them know how you feel about this issue. Their information can be found at [bit.ly/vagenleg](http://bit.ly/vagenleg).

The ways in which we take care of the elderly is a reflection of society's values. It's an issue we all will face in the future, and it requires solutions as soon as possible.

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