



U.S. SENATE COMMITTEE ON

Finance

SENATOR CHUCK GRASSLEY, OF IOWA - CHAIRMAN

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Hearing, "Nursing Home Quality Revisited: The Good, the Bad, and the Ugly"

Thursday, July 17, 2003

Closing Statement of Sen. Chuck Grassley, Chairman

That brings us to the end of our hearing today. First of all, I thank all of the witnesses today for taking the time out of your busy schedules to come and help us do this important work here today. Once again, I think it's important, first and foremost, to make sure that there is a continued and sustained federal and state effort to follow through and address the problems we've heard about today. I think I say this at every hearing, but we must be diligent, not only with money but to make sure that the money is spent wisely, and that is where leadership is so important. I've made it abundantly clear to Secretary Tommy Thompson that if nursing homes are getting \$6.9 billion more, I expect them to use that money to improve patient care. That means not using the money to increase profits, or double the administrator's salary. More money should result in better care. It's as simple as that. Coming out of this hearing, I will see to it that we have a plan of action to address these problems.

That plan of action will include continued efforts to oversee this Administration's implementation of initiatives to improve quality of care. As a general matter, I will keep monitoring nursing home quality aggressively by continuing to work with the GAO and the HHSOIG. In addition, my Finance Committee staff will continue its independent investigations. As I said previously, CMS must also maintain its efforts to fully and effectively implement the recommendations made by the GAO – I'm going to demand a time line from CMS and see to it that we move forward to make these necessary improvements. As I mentioned earlier, I am going to formally request that the GAO design a survey instrument so that we can find out more about under-reporting and how frequently survey team findings are white washed by supervisors. We need to ask probing questions of current and past surveyors to get to the bottom and see what is stirred up out there. We rely on survey information too much, and it's too important to allow misleading or corrupt information to get to consumers. CMS must take every available step to ensure that the information on its Web site is valid, reliable and accurate. To accomplish that goal, CMS must eliminate inconsistencies in the survey process. With respect to the MDS data, CMS must be more aggressive to ensure that the self-reported information is accurate. In light of the apparent problems in the survey process, I will request that the GAO look into the adequacy of federal funding for state survey and certification activities – not just for nursing homes but for other providers, such as home health care too.

In addition, the testimony of Jeanne Hodgson raises some serious questions that need to be investigated. As I mentioned, I think the HHSOIG really needs to get involved in these types of tragic deaths that seems to fly under everyone's radar. I think it's important too that where nursing homes are found to have a pattern of harming residents, CMS must ensure that state survey agencies refer those cases for immediate sanctions. This type of critical reporting failure on the state level is simply unacceptable and CMS must immediately address it.

Finally, CMS must re-examine its resident assessment procedures to ensure that residents receive reliable assessments and corresponding care plans where appropriate and take action to carry those plans out. That's quite a list, and by no means is this list complete, but this is a mountain of a problem. I am aware, however, that every step, no matter how small, will help get us toward our goal of better care for the growing population of frail and vulnerable nursing home residents across our nation. In closing, please note that the hearing record will remain open for three weeks for further comments and questions. Thank you all for participating.