



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

Opening Statement of Sen. Chuck Grassley, Chairman

Good morning. I thank everybody for coming. As chairman of the Finance Committee, I'm particularly pleased that this morning's hearing will follow up on the extensive work we did when I chaired the Special Committee on Aging. As everyone knows, the Finance Committee has had plenty on its plate this session, and I'm proud of our accomplishments with the tax and drug bills that we moved out of the committee and successfully voted out of the Senate. At the same time, my staff and I have continued with my longstanding commitment to ensure that more is done to protect the frail and elderly who live in nursing homes across the country. Today greater numbers of Americans are blessed with longevity and thus able to enjoy more time with their family and loved ones. Take it from me, it's a treasure to watch your grandchildren grow up and incredible to congratulate a granddaughter on the birth of her own child. But as Americans break new age barriers, society must cope with the changing needs of an aging and expanding population. This hearing is an opportunity to revisit and assess the quality of care in America's nursing homes. Today we'll hear that there's still much to be done – at the state level, at the federal level, and by the nursing home industry. I think it's fair to say that some progress has been made, although it remains difficult to say how much. We do know, however, that we can and must do more to protect vulnerable nursing home residents.

Some have said that this hearing is about nothing new. I disagree. I believe this hearing is another wake-up call to America. It's a reminder that the oldest and neediest among us deserve to live their final years on earth with dignity. The people assembled here today – the tireless advocates and family members, the members of the media and nursing home industry, the government regulators and elected policymakers – many of us are dedicated to keeping this issue a front-burner priority. We must always keep in mind the goal – simply put, it is improving the quality of care in nursing homes. It's important to note that our primary concern in this regard is about genuinely poor care to residents. We're talking about preventing basic, but life-threatening problems, such as dehydration, malnutrition and injury prevention, including the prevention of pressure sores, falls and other serious injuries that result from substandard care. We need to target the bad actors among nursing homes, who do a disservice to all the good homes out there. And I want to emphasize that the majority of nursing homes are greatly concerned about providing quality care. For instance, in anticipation of this hearing, I received a letter from the United Presbyterian Home in Iowa. This is an award-winning home and was found deficiency-free on its last inspection. I applaud this nursing home and the efforts of its staff. I'd like to believe that all nursing homes are as diligent with their responsibilities. However, we know that there are too many bad homes where abuse, neglect and life-threatening problems exist. We should always keep in mind that any death due to substandard care is one death too many.

I believe that too often we here in Congress get bogged down in data and statistics. It's easy to forget that there are human lives and untold stories behind those statistics. That's why we'll hear this morning from a panel of everyday Americans. They are family members dealing with the tragic consequences of substandard care. In many respects, they are heroes for agreeing to tell us their stories. We must listen to them because

what they'll tell us is truly tragic and all too common. Each has come before this committee today to remind us that quality care in nursing homes isn't about numbers. It's about life and too frequently, tragic death. I've long-championed the idea that sunshine is the best disinfectant. I believe openness in any system helps to cleanse impurities, educate the public and hold people accountable. American consumers are growing increasingly accustomed to a "right to know" when it comes to purchasing products, choosing services and even when buying groceries. When it comes to finding high-quality care for a loved one, they have a right to know about the standards of care provided at their local nursing home. Everyone should know that there's a huge gap in quality among nursing homes across America; there are homes where tremendous care and compassion is provided, and then there are homes where horrendous neglect, abuse and preventable death exist. I've been working on nursing home quality for almost eight years now, and at my request the General Accounting Office has issued a series of reports documenting severe problems in too many nursing homes. Today we'll learn about the GAO's most recent findings. I welcome back Dr. Bill Scanlon, who has testified numerous times about nursing home quality since the Nursing Home Initiative began in the summer of 1998. He will testify about the latest in a series of several important GAO reports. I look forward to hearing about the GAO's findings, as well as its new recommendations about how to improve the quality of care.

In addition, we will welcome before the Committee and hear testimony from Senator Bond, Chairman of the Aging Subcommittee for the Committee on Health, Education, Labor, and Pensions. Also, the Department of Health and Human Services, Office of Inspector General, will be here to discuss the OIG's work on nursing home quality. As always, we have invited CMS Administrator Tom Scully to be with us, too. CMS's federal role in overseeing nursing homes and implementing initiatives to improve care is of paramount importance, and we look forward to his testimony. One of the positive policy initiatives to emerge from CMS was the launch of a national on-line database. The "Nursing Home Compare" Web site offers American consumers a comprehensive, user-friendly resource to assist with the difficult decision of choosing a nursing home for a loved one. I am keeping close tabs on this Web site because, as we'll learn today, flaws and gaps still exist in some of the information. I continue to say that consumers need to be aware that this is one resource among many. As President Reagan was fond of saying when he was in office, "Trust but verify."

As always, we'll also talk about money today – the federal government pays vast sums to provide for quality care and for oversight and enforcement of that care. Over the past couple months I've been working to ensure that a proposed \$6.9 billion dollar federal windfall to the nursing home industry over the next 10 years should be directed to improve patient care. We must ensure that the nursing home industry doesn't line its pockets with this money. I expect the industry to use that money for the direct care of residents. And finally, we'll close out the hearing with testimony from the industry's perspective. In sum, this hearing today is about keeping the focus and pressure on doing better for the frail and elderly in nursing homes. It's extremely important and valuable to maintain a dialogue among nursing home care providers, regulatory agencies, Congress and consumers about the problems that persist. I hope this hearing will help continue that dialogue and provide a road map for all that still needs to be done.