



# policy break

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## List of Under-Performing Nursing Homes Released for First Time Following Inquiry by Senators

The Centers for Medicare and Medicaid Services (CMS) has made public a [previously unreleased list](#) of hundreds of under-performing nursing homes. The release of the list comes following an inquiry by U.S Senators Bob Casey (D-PA) and Pat Toomey (R-PA).

CMS oversees the Special Focus Facility (SFF) program, which places special scrutiny on select nursing homes with a documented pattern of providing poor care. CMS publicly discloses the names of the facilities chosen to participate in this program, but the candidate nursing homes that are not selected for the program have always remained hidden from the public - until now.

Sen. Casey and Sen. Toomey have published a report - [Families' and Residents' Rights to Know: Uncovering Poor Care in America's Nursing Homes](#) - which includes the newly released list of 395 facilities. The report notes that the almost 400 facilities are eligible for the Special Focus Facilities program because they have a "persistent record of poor care," yet are not selected due to CMS' limited resources.

The two Senators advocated for the list of candidate facilities to be disclosed because these facilities are "indistinguishable" from participants in the program. "When a family makes the hard decision to seek nursing home services for a loved one, they deserve to know if a facility under consideration suffers from systemic shortcomings," Sen. Toomey stated. For more information, read the article from the [Associated Press](#).

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## What can advocates do with this information?

- Include the list of facilities in your area/state when providing information to consumers who are looking for a nursing home. Include an explanation of the SFF program and the candidate list.
  - Post the list on your program's/organization's website (along with the explanation noted above).
  - Encourage current residents and families to check the list to see if their facility is included.
  - Urge residents and families in a candidate facility to ask the administrator what is being done to improve care.
  - Suggest that resident and family councils invite the administrator to a council meeting to talk about what the facility is doing to improve care, ask for ongoing updates, and share any council concerns.
  - For ombudsmen: Meet with the administrator to discuss what the facility is doing to address problems and share any resources that might be helpful.
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