



August 31, 2015

## **Celebrating Our History and Honoring Our Gems**

*As Consumer Voice celebrates our 40<sup>th</sup> anniversary, we want to take this opportunity to reflect on our past and recognize the individuals who shaped our organization. In honor of the 40-year ruby anniversary we will highlight Consumer Voice's Gems which include key leaders, organizations, and special moments that have made a significant impact on our organization's development, mission, and advocacy.*

### **This month's gem is Consumer Voice's efforts to preserve the federal Nursing Home Reform Law**

The Federal Nursing Home Reform Act was passed as part of the Omnibus Budget Reconciliation Act of 1987 following years of advocacy on the part of Consumer Voice (then the National Citizen's Coalition for Nursing Home Reform) and other organizations, advocates, health care professionals, and providers with a shared vision of improving nursing home care. In 1991, the federal regulations for nursing homes participating in the Medicare and/or Medicaid programs, known as the Requirements of Participation, were implemented to carry out the landmark vision and goals of this law. The Requirements established strong nationwide standards that facilities must meet in order to receive federal funding.

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*Advocates during a 1995 demonstration to prevent the repeal of the federal Nursing Home Reform Act (NHRA)*

In 1995 the Nursing Home Reform Act (NHRA) faced possible repeal or decimation. As part of an effort to overhaul Medicaid, Congress passed a budget bill that would convert Medicaid into a block grant system. Amendments threatened the very essence of the NHRA. One was to strike the foundation upon which the law was built – that facilities provide the care and services to ensure that each resident attains or maintains his or her highest practicable physical, mental and psychosocial well-being. Another was to shift oversight to private accrediting organizations.

Consumer Voice kicked off a campaign to save the Nursing Home Reform Act. The campaign was launched with a Washington press conference endorsed by Senators William Cohen and David Pryor and Representatives Pete Stark and Henry Waxman. Groups like AARP, the Alzheimer's Association, the National Committee to Preserve Social Security and Medicare and the Service Employees International Union also committed to the Consumer Voice's fight. Consumer Voice published a report, *Congress Brings Back the Horrors* to illustrate how rolling back the law would harm nursing home residents. Advocates contacted members of Congress and testified, along with some providers and researchers, at several subcommittee hearings regarding the impact of the provisions. There was widespread media coverage, including a feature on ABC's World News Tonight capturing a demonstration in front of the U.S. Capitol during the CV's Annual Meeting. The advocacy message was, "Been there. Done that. Won't work!" Thankfully, advocates - joined by other national organizations - were successful, and the Nursing Home Reform Act continues to serve as the foundation for quality care.

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*Scott Severns, President, Consumer Voice Board, United Senior Action, speaking during the press conference that launched the Consumer Voice campaign to save the Nursing Home Reform Act. Jackie Coombs, resident, member of the Consumer Voice Board of Directors, and 2004 recipient of the Elma Holder Founder's Award, and Elma Holder, Consumer Voice founder, are next to the Mr. Severns (left to right) and joined by members and advocates such as Morris Kaplan, Administrator, Gwynedd Square Nursing Center, in the front row.*

Today, advocates need to come together again to preserve and strengthen the regulations. When the Centers for Medicare and Medicaid Services (CMS) announced they would be revising and updating the Requirements of Participation in 2012, the Consumer Voice convened a panel of advocates, consumers, and experts to help in developing recommendations, which were submitted to CMS. The recommendations urged CMS to maintain current protections, while at the same time improving the Requirements in a number of areas, e.g. stronger staffing standards and regulations governing the use of antipsychotic medications. In 2014, Consumer Voice provided additional recommendations to CMS.

On July 16<sup>th</sup>, 2015, CMS released [proposed revisions](#) to the Requirements of Participation for nursing homes. While these proposed revisions include new positive language that would benefit consumers in a number of ways, there are areas where improvement is needed and even places where the previous regulations have been weakened. Comments are due September 14, 2015.

The revision of the Requirements is an opportunity to strengthen the foundation of care for residents. We can learn from and build on almost twenty-five years of experience. This is an opportunity to maintain key protections while improving the rules to address issues, such as staffing, that continue to cause serious care problems.

This next set of regulations will impact nursing home residents for many years. Consumer Voice will be submitting recommendations and providing guidance to help advocates in the network submit comments as well. Just as every voice in our network has been critical in making quality care matter over the last 40 years, every advocate's voice needs to be heard in order to ensure that the Requirements are as strong and comprehensive as possible.

Visit our website for more information about the [proposed revisions](#), to view a [side-by-side](#) of the existing regulations and the revised regulations put forward by CMS, and Consumer Voice's recommendations in [2012](#) and [2014](#) to CMS on ways to preserve and strengthen the nursing home regulations.



*You are invited to join us in celebrating 40 years of making quality care matter by signing this [e-card](#), sending a congratulatory message to [info@theconsumervoice.org](mailto:info@theconsumervoice.org), becoming a [member](#), and/or supporting our current and future work with a [contribution](#).*

*Like us on [Facebook](#), follow us on [Twitter](#) and visit our [40th Anniversary](#) webpage for additional information and opportunities to celebrate with us.*

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