

## Consumer Voice Statement

In Response to the Associated Press's Article  
*Not just COVID: Nursing home neglect deaths surge in shadows.*



In an [article today](#), the Associated Press confirmed what advocates for residents of long-term care facilities have known for months: residents are suffering and dying from neglect. According to the AP, in addition to the over 90,000 deaths from COVID-19, there have been at least 40,000 excess deaths in long-term care facilities since the pandemic began. These deaths are not attributable to COVID-19, but in part due to neglect that includes starvation and dehydration. Residents are dying slowly, painfully and alone.

As COVID-19 began spreading through facilities in early 2020, it became evident that ongoing short staffing had left long-term care facilities unprepared to properly care for residents. For years, many families have provided care, such as assisting resident to eat and drink, that facilities themselves should have been delivering to residents. Since families were barred from facilities in March, they have been unable to ensure their loved ones receive even the most basic care. Simultaneously, over-burdened and underpaid staff have also been unable to properly care for dozens of residents at a time- often contracting COVID-19 themselves, contributing to further staff shortages.

Consumer Voice has heard from hundreds of families whose loved ones have been harmed by neglect. Family members report that many residents have experienced significant physical decline, such as losing their ability to move, or sit up or stand up without assistance. Others no longer talk because almost no one has spoken to them since March. There are residents who have not been bathed nor had their teeth brushed for months, and residents who have been confined to their rooms -while missing their eyeglasses and hearing aids. One resident sat in her room with a fractured hip for a month – the result of a fall and lack of medical attention, despite complaints of pain for weeks. Weight loss, bed sores, infections, and cognitive decline are ravaging nursing home residents. Much of this suffering could have been prevented.

**This unnecessary harm and death must be addressed immediately.**

### Consumer Voice calls on Congress to:

- **Ensure adequate numbers of well-trained and well-compensated staff.** Staff are underpaid and overworked. Staff need to receive increased compensation, including hazard pay during the pandemic; adequate benefits, such as health care and paid sick leave; and assistance with childcare. They must be provided with sufficient quantities of necessary personal protective equipment (PPE). We cannot ask our healthcare professionals to put their lives on the line without properly compensating and protecting them. We must also ensure they do not have impossible workloads by establishing a minimum staffing standard. In addition, staff must be properly trained so they are equipped with the skills, knowledge and competencies they need. Currently, temporary nurse aides are caring for residents, some with only 8 hours of training. A plan must be implemented to fully train these staff to provide proper care, training that must include basic infection control procedures, such as handwashing and proper use of PPE, all ongoing problems recently cited by federal government.

- **Oppose any kind of immunity from civil liability for nursing homes:** Since the pandemic began, at least half of the states, including all but one referenced in the AP article, have passed laws preventing residents and families from holding the facilities accountable in court. These laws have sanctioned negligent and harmful care that have allowed facilities to escape any liability. Not only does this mean that facilities in the article will face no repercussions for their substandard care in the past, but that current and future residents face the prospect that this poor-quality care will continue.

At the same time, CMS must also act. The agency must:

- **Increase oversight of resident care.** For months, regulators have rarely been in facilities, and oversight has focused almost exclusively on infection prevention. Poor care has gone undetected and unaddressed. CMS must direct state survey agencies to focus on resident care any time inspectors are in facilities.
- **Require facilities to permit family to conduct compassionate care visits.** CMS must allow at all times at least one family member to enter facilities and provide essential support and assistance for residents who have suffered physical or psychosocial decline or are experiencing distress: Many states have acknowledged that families can provide necessary care.

Finally, Consumer Voice calls on advocates across the country to contact their state and federal representatives and CMS officials to tell them to act now to prevent tens of thousands of Americans from neglect and death.

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