

June 5, 2018

17 Attorneys General Condemn Federal Action Rolling Back Protections for Nursing Home Residents

The National Consumer Voice for Quality Long-Term Care applauds California Attorney General Xavier Becerra and a coalition of 16 states and the District of Columbia in condemning federal actions that would delay or weaken the enforcement of protections for nursing home residents. Attorney General Becerra stated in the May 30th press release, “It is our duty to be vigilant of the health and safety of our aging loved ones. ... The Trump Administration is now attempting to strip our seniors of crucial protections that shield them from nursing home abuse, neglect, and exploitation. This is reckless.”

The Attorneys General, submitted a [letter](#) to the Centers of Medicare and Medicaid Services urging that CMS “**not** lower the level of regulatory oversight.” The letter points to recent actions from CMS including a [2017 memorandum](#) that serves to decrease the amount of Civil Money Penalties imposed against facilities not in compliance with requirements of participation, and an [18-month moratorium](#) on enforcement of certain Phase 2 requirements.

The [2016 revised federal nursing home regulations](#) included enhanced requirements to protect residents, including provisions to increase infection control; improve training for nursing facility staff; and increase protections against abuse, neglect, and exploitation of nursing home residents. All of these are critical protections that must be implemented and enforced without delay to ensure nursing home residents’ safety, health, and well-being. The Attorneys General note that weakening and delaying Civil Money Penalties for violations of these protections puts nursing home residents lives at risk. Joining Attorney General Becerra in sending yesterday’s letter are the Attorneys General of: Connecticut, Hawai’i, Illinois, Iowa, Maryland, Massachusetts, Minnesota, Mississippi, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia.

Consumer Voice commends the Attorneys General for urging CMS to implement and fully enforce the revised federal nursing home regulations. The revised nursing home regulations contain important safeguards that enhanced and strengthened previous requirements. “Rolling back or delaying implementation and enforcement of the requirements put residents at increased risk of abuse, neglect, exploitation, and poor care,” according to Lori Smetanka, Consumer Voice’s Executive Director, “Residents should not have to wait any longer for these protections.”

State advocates and Consumer Voice Leadership Council members, Joseph Rodrigues (California State Ombudsman) and Arlene Germain (President and Co-founder of Massachusetts Advocates for Nursing Home Reform), led the advocacy around this issue with their Attorneys General.

To read the full letter sent by the Attorneys General, click [here](#). Read the press release on the California Department of Justice website by clicking [here](#). To learn more about the revised federal nursing home regulations, including updates on implementation and enforcement, visit Consumer Voice’s [Issue Page](#).

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The National Consumer Voice for Quality Long-Term Care (formerly NCCNHR) is a 501(c)(3) nonprofit membership organization founded in 1975 by Elma L. Holder that advocates for quality care and quality of life for consumers in all long-term-care settings.