



policy break

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October 8, 2019

CMS Will Alert Consumers About Nursing Home Abuse

Yesterday the Centers for Medicare and Medicaid Services (CMS) announced it will use a special icon to identify nursing homes that have been cited for abuse and neglect. According to CMS, adding the icon to Nursing Home Compare, the federal government website, is designed to improve the transparency of consumer information as part of its five-point plan to improve nursing home quality and safety. CMS's action follows two hearings on nursing home abuse and neglect held earlier this year by the US Senate Finance Committee. Consumer Voice commends CMS for this action which is a step forward in providing critical information to consumers, their families and the public, and creating an incentive for nursing homes to prevent abuse and neglect.

How the icon will work

The icon, which CMS is calling a consumer alert icon, will be a circle with a red hand in the middle signifying "stop." Beginning October 23, 2019, it will indicate nursing homes that meet the following criteria:

1.) Have been cited for one or more of the following deficiencies related to abuse, neglect, or exploitation:

- F600 (Protect each resident from all types of abuse, such as physical, mental, sexual abuse, physical punishment, and neglect by anybody);
- F602 (Protect each resident from the wrongful use of the resident's belongings or money);
- F603 (Protect each resident from separation from other residents, his/her room, or confinement to his/her room);
- F223 (Protect each resident from all abuse, physical punishment, and involuntary separation from others); and
- F224 (Protect each resident from mistreatment, neglect, and misappropriation of personal property).

2.) The cited deficiency a) has harmed a resident within the past year (a scope and severity level of G or higher); and/or b) potentially could have harmed a resident within each of the past two years (a scope and severity level of D, E or F).

The icon will be removed after the facility has corrected the deficiency and has gone a full cycle (about 1 year) with no abuse citations on any survey (standard or complaint). For instance, if a facility receives an icon based on a finding of abuse during a standard (annual) survey and then has no abuse findings on the next standard survey and on complaint investigations, the icon will be taken off.

In addition, nursing homes that receive the abuse icon will have their health inspection rating capped at a maximum of two stars. Due to the methodology used to calculate the overall rating, the best overall quality rating a facility that has received the abuse icon can have is four stars (see the [Five Star Technical Users' Guide](#)).

Nursing Home Compare will be updated monthly so consumers will not have to wait for CMS's quarterly updates.

What can advocates do?

- Educate prospective and current residents and their families about what the icon means and questions to ask facilities (e.g. what have you done to address the abuse and prevent it from recurring?)
- Encourage resident/family councils to invite the facility administrator to their meeting to discuss abuse prevention efforts
- Publicize a list of all facilities in your region/state with an abuse icon; make the list available to consumers looking for a nursing home and to the media
- For ombudsmen: visit more frequently in nursing homes that have an abuse icon

Although much more needs to be done to identify, investigate and prevent abuse/neglect/exploitation, Consumer Voice is pleased that CMS has taken this positive measure to better protect nursing home residents.