

CONNECTICUT ASSOCIATION OF HEALTH CARE FACILITIES, INC.

February 20, 2013

Written Testimony of the Connecticut Association of Health Care Facilities (CAHCF), Inc. on Proposed H.B. No. 5738 AN ACT REQUIRING NURSING HOME FACILITIES TO PROVIDE INFORMATION CONCERNING SAFETY INCIDENTS TO PATIENTS AND THEIR FAMILIES.

CAHCF, our state's one hundred and sixty-six (166) member trade association of skilled nursing facilities and rehabilitation centers, appreciates the opportunity to submit testimony recommending no action on Proposed H.B. No. 5738 AN ACT REQUIRING NURSING HOME FACILITIES TO PROVIDE INFORMATION CONCERNING SAFETY INCIDENTS TO PATIENTS AND THEIR FAMILIES.

Our association respectfully recommends no action on HB 5738 because all of the information that the proposed bills seeks to require nursing homes to provide is already available to the public on-line. The Nursing Home Compare website (<http://www.medicare.gov/nursinghomecompare/>) was created by CMS to provide consumers with information on all Medicare and Medicaid certified nursing homes. Section 6301 of the Affordable Care Act required that additions be made to the Nursing Home Compare website to provide even more consumer-based information regarding quality including:

- Links to annual surveys by the state for the past 3 years (CMS Form 2567);
- A nursing home's plan of correction for any deficiency cited as a result of the survey;
- Summary information on and number of substantiated complaints; and
- Summary of penalties issued.

State agencies survey nursing homes at least annually and document in detail in CMS Form 2567 a nursing home's failure to comply with federal regulations. See 42 U.S.C. § 1396r; 42 C.F.R. §488.18 (requiring that the surveying agency provide a written statement of deficiencies that is available to the public). The federal regulations thoroughly address safety issues, including resident safety and fire safety. 42 C.F.R. §§ 483.1 et. seq. After receiving the statement of deficiencies, the nursing home indicates its corrective action on the same form. As a result, any safety incident that occurred as a result of the nursing home's lack of compliance with the federal regulations and any corrective action would be detailed in CMS Form 2567. Further, the Nursing Home Compare website also contains the number and summary of all substantiated complaints on any subject, including safety issues. Therefore, the proposed requirements would be unnecessarily duplicative of publically available information that already exists for the specific purpose of providing families with information regarding quality of care in a nursing home.

For additional information, contact Matthew V. Barrett, Executive Vice President, CAHCF, at mbarrett@cahcf.org or 860-290-9424.