



INSPECTOR GENERAL'S REPORT ON NURSING HOMES SHOULD BE WITHDRAWN

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The Center for Medicare Advocacy has asked the Department of Health and Human Service's Office of Inspector General to withdraw its recent report *Emerging Practices in Nursing Homes*. "While the report implies that certain nursing home practices are new and innovative," says the Center's Senior Policy Attorney Toby S. Edelman, "in fact, many of the practices are contrary to recommendations of experts, already required by federal law, or just plain trivial."

Contrary to the recommendation of experts in the Institute of Medicine's 2004 report *Keeping the Patient Safe: Transforming the Work Environment of Nurses* that nurses *never* be allowed to work more than a 12-hour shift, the Inspector General's report describes a facility whose employees work two 16-hour shifts on weekends and get paid for a 40-hour work week. Other practices described in the report as "emerging practices" reflect requirements of the 1987 Nursing Home Reform Law that nursing facilities have been paid to comply with since 1990. These practices include allowing residents to wake up on their own schedule, choose meals, and choose dining companions, and requiring facilities to conduct comprehensive resident assessments. The Report also commends a facility for furnishing a room with comfortable furniture as another "emerging practice."

"The Center for Medicare Advocacy of course appreciates the importance of identifying nursing facilities that provide good care in order to learn what practices they use," said Ms. Edelman. "However," she continued, "in the absence of any evaluation of facility practices, including their relationship to experts' recommendations and existing legal requirements, simply providing a brief description of facility activities is misleading. When the practices actually reflect poor policy, are already required by federal law, or are basic commonplace practices, the report does a serious disservice to residents, workers, and the public by describing these practices as new and innovative."

(To view Ms. Edelman's full letter to the OIG, click [HERE](#))