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Congressional Investigators Cite Safety Violations at Nursing Homes

By ROBERT PEAR

WASHINGTON, Oct. 30 — Congressional investigators said today that they had found widespread violations of federal health and safety standards at nursing homes in Texas, New York, New Jersey, Illinois and California.

In a report to be issued on Tuesday, the investigators said they had found "serious deficiencies" in about 70 percent of nursing homes in Texas. In separate reports, they said they had found similar problems at 40 percent of nursing homes on Long Island and in central New Jersey, and at more than half of the homes in Chicago, Los Angeles and the San Francisco Bay Area.

The studies, requested by members of Congress, were done by the Democratic staff of the House Committee on Government Reform.

The investigators used federal data to get an overall picture of compliance in a state or a region. They examined a sample of annual inspection reports, obtained from state government agencies, to assess conditions at individual homes.

The reports did not name specific homes because, they said, new management or other changes could lead to a sudden improvement or



Paul Hosefros/The New York Times

Representative Ciro D. Rodriguez of Texas, left, with his press secretary, David McFarland, requested a study of nursing homes in Texas.

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deterioration at a home.

About 1.6 million people receive care in 17,000 nursing homes nationwide. Medicaid pays for the care of two-thirds of the patients. As a condition of receiving federal money, nursing homes are supposed to comply with federal standards.

Inspectors found "violations that caused actual harm to residents, or had the potential to cause death or serious injury," at 26 percent of nursing homes in Texas, 17 percent of the homes on Long Island, 18 percent of those in central New Jersey, 15 percent of homes in Chicago, 19 percent of those in Los Angeles and 41 percent in the San Francisco area.

Representative Ciro D. Rodriguez, a Texas Democrat who requested the study of his state, said, "A major reason for the substandard conditions in many Texas nursing homes is the shortage of staff, and that in turn results from the low level of reimbursements paid by the state under the Medicaid program."

Tim Graves, president of the Texas Health Care Association, a trade group, agreed. "The average Medicaid payment is a little over \$82 a day for 24 hours of nursing care and attention," Mr. Graves said. "That works out to less than \$4 an hour. It's just not adequate."

Nationwide, state Medicaid programs paid homes an average of \$103 a day last year. The average in New York, \$174 a day, was more than twice the average in Texas.

Dan Bartlett, a spokesman for the presidential campaign of Gov. George W. Bush, said the report was "a politically motivated document" intended to embarrass Mr. Bush.

Mr. Rodriguez and the Democratic staff of the House committee said they were not using the data to embarrass Mr. Bush. Rather, they said, the study underlines the need to increase Medicaid reimbursement, to step up enforcement and to publicize the results of inspections.

Here are examples of the problems described by the staff of the Committee on Government Reform:

¶ At a nursing home in the San Francisco area, "ants were found crawling on the face of an 83-year-old resident, moving in and out of her mouth."

¶ In a Los Angeles nursing home, "a state inspector observed a nurse assistant using a washcloth and water soiled with feces to give a 'bed bath' to a resident."

¶ In Great Neck, N.Y., inspectors found that a nursing home had failed to protect patients from an abusive resident who had been involved in 25

incidents of "hitting, grabbing, shaking, kicking, slapping, pushing and biting other residents."

¶At a nursing home in northern New Jersey, residents "sometimes waited up to two hours for call bells to be answered."

¶At a home near Houston, state inspectors found erroneous medical instructions for dozens of patients. These patients were supposed to receive cardiopulmonary resuscitation in an emergency, but the instructions said, "Do not resuscitate."

¶And at a nursing home in Chicago, inspectors said, they heard a patient calling out from her room: "Help me! Somebody please come and help me." The inspectors said that two staff members were in the area, but did not respond.

In the report, the inspectors said they later found the patient "wedged between a bed rail and mattress."

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