New Orleans, Hurricane Katrina nursing home tragedy points to need to know more about nursing homes

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Resources for Nursing Home Quality:

- National Academy of Elder Law Attorneys
- National Citizens Coalition for Nursing Home Reform
- Alzheimers Association -- Choosing Health Care Providers and Facilities
- AARP -- Starting the Nursing Home Search
- Nursing Home Inspections -- locate by state, county, city, zip,name
- State and Local Nursing Home Ombudsmen -- search by state
- National Association of Professional Geriatric Care Managers -- locate a local professional for help in nursing home placement
- Nursing Home Checklist
- Consumer Guide to choosing a nursing home

A federally certified nursing home should be one of the safest places for a frail senior citizen. The 1987 Nursing Home Reform Act sets high standards for patient health, safety and quality of life. It requires that facilities be well managed, with an organized and well-trained staff to deliver quality care every day. It requires careful disaster planning.

Many New Orleans nursing homes used their disaster planning to get their residents out of harm's way. Others did not and residents were left helpless in their beds to drown in the rising floodwaters.

Federal law requires that each facility have a plan to protect residents in case of emergency. The plan must be specific to the particular location -- so in flood prone areas, the plan must include protection in case of flood. Each staff-person must be trained and regular drills conducted.

We don't know the facts of what happened at St. Rita's Nursing Home when Katrina hit New Orleans, except that it was not evacuated. We do know that lax enforcement of nursing home standards often comes to light only after tragedy strikes. Government officials often lack the resources or the political will to take on corporate interests that run nursing homes, even when violations are found.

In the case of St. Rita's Nursing Home in New Orleans, inspectors had cited the facility for a number of deficiencies in its management and planning for routine patient care, in an annual inspection in November 2004.

The facility was cited for failure to properly assess and plan the care of each resident. Inspectors found that medications and other services were not always available for residents and that it lacked a proper program of infection control. The facility was also cited for inadequate training and reviews of nurse's aides who care for patients. The report also shows that nearly one-fourth of residents were restrained, over three times the national average.
Yet the inspectors rated the threats to residents from these findings as "minimal." Too often, unless an inspector actually sees harm happening to a patient, such telltale findings are minimized.

To a trained eye, these reports suggest a poorly run facility where even resident's routine needs go unmet. The number of residents in restraints is alarming.

Obviously, it is easier for inspectors to spot problems with daily care than to spot a problem with disaster preparations. But it would certainly not be surprising that a home with that many problems managing routine care for its patients would collapse in a crisis.

As Elder Law Attorneys, we help seniors, the disabled and their families make good choices among long term care options. Each day, we help clients plan for safe, affordable care in the best possible setting for the client's needs. Medicare and Medicaid coverage rules are complex and unfortunately, safe, quality care cannot be taken for granted.

I often work with family members who must select the right placement for mom or dad. Legally, they are entitled to expect good care, respectful treatment and safety for their loved ones. Advocates worked for years for nursing home reform legislation. Since 1987, the United States Code has mandated a resident's bill of rights and set high standards of care and quality of life for our nation's most vulnerable citizens.

We tell them to look for the signs of a well-organized facility, both by visiting, asking around and reviewing inspection reports.

On a visit, observe whether staff productively engaged in care and services to residents without appearing frantic? Are there enough staff to respond to residents' needs? Are most residents up and about, engaged in meaningful activities? How many smiles can you count among staff and residents?

Ask questions: Does the home have a history of consistently providing good care? How long have the administrator and the director of nursing worked there? What reputation does the facility have in the community?

Inspection reports for nursing homes can be viewed on-line at the Medicare.gov website. Homes in a particular area can be compared to each other and with state and national averages.

I particularly look for the kinds of deficiencies that show poor organization and management -- and red flags like large numbers of residents in restraints. Even if the inspector rates the threat to residents from these types of violations as low, more investigation is needed.

Signed,

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