

# Biden reverses Trump policy limiting U.S. nursing home fines

July 30 2021

---



(HealthDay)—The Biden administration has reversed a Trump policy

that limited the size of fines that U.S. nursing homes could be slapped with for violating safety standards.

The Trump policy was adopted in 2017 and prevented the U.S. Centers for Medicare and Medicaid Services (CMS) from hitting a nursing [home](#) with a fine for each day it didn't comply with [federal standards](#).

That reduced many penalties to a single fine, lowering total amounts from hundreds of thousands of dollars to a maximum of \$22,000, *The New York Times* reported.

Many nursing homes cited for violations such as poor infection controls, not protecting residents from avoidable accidents, neglect, mistreatment and bedsores, are [repeat offenders](#), according to Toby Edelman, a senior policy attorney at the Center for Medicare Advocacy.

Larger fines are a deterrent and are more likely to indicate strong enforcement of the rules, Edelman told the *Times*.

In early July, the Biden administration changed guidance on the CMS website, saying it had "determined that the agency should retain the discretion at this time to impose a per-day penalty where appropriate to address specific circumstances of prior noncompliance."

The new policy means that regulators can impose either per-day or per-instance penalties, the *Times* reported.

Deaths in nursing homes account for nearly a third of the overall COVID-19 death toll in the United States.

While there's been a sharp drop in COVID-19 deaths in nursing homes since vaccines became available, inadequate staffing, shortages of protective equipment and poor infection control are still problems,

according to advocates and some officials, the *Times* reported.

Federal data show that while 81% of nursing home residents are vaccinated, only 58% of workers are immunized, which increases the risk of outbreaks even among fully vaccinated residents.

Fines levied on a per-day basis "only take precious resources away from an already underfunded industry, especially during an unprecedented [time](#) when [nursing homes](#) need every support to protect their residents," the main industry trade group, the American Health Care Association and National Center for Assisted Living, said in a statement, the *Times* reported.

**More information:** Visit the Agency for Healthcare Research and Quality for more on [nursing home safety](#).

Copyright © 2021 [HealthDay](#). All rights reserved.

Citation: Biden reverses Trump policy limiting U.S. nursing home fines (2021, July 30) retrieved 11 July 2024 from <https://medicalxpress.com/news/2021-07-biden-reverses-trump-policy-limiting.html>

<p>This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.</p>
--