

NURSING HOME REFORM ACT (OBRA '87): 20 YEARS OF HISTORY

OBRA '87 requires sweeping changes in federal standards to improve standards of care in nursing homes.

"Pioneer Network" of nursing homes organizes to develop and begin promoting principles underpinning "culture change."

CMS begins including some data on number and types of nursing staff on the agency's "Nursing Home Compare" website.

Special Committee on Aging

"THE NURSING HOME REFORM ACT TURNS TWENTY: WHAT HAS BEEN ACCOMPLISHED, AND WHAT CHALLENGES REMAIN?"

GAO report, "Nursing Homes: Efforts to Strengthen Federal Enforcement Have Not Deterred Some Homes from Repeatedly Harming Residents," faults "immediate sanctions" policy.

Hearing features testimony from GAO, CMS, advocates, and academics, and highlights the success of Michigan's criminal background check program.

HHS publishes final enforcement rules for OBRA '87.

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"MEDICAID REFORM: QUALITY OF CARE IN NURSING HOMES AT RISK"

"We have witnessed dramatic improvements since 1987... but we are not there yet. Recent inspections of nursing homes reveal that deficiencies ranging from substandard care to conditions posing immediate harm to residents still exist in many nursing homes nationwide."

- Senator William Cohen

President Clinton announces "Nursing Home Initiative" to strengthen enforcement actions for poorly performing facilities, including legislation to require criminal background checks for workers and establish a national registry of nursing home aides.

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"BETRAYAL: THE QUALITY OF CARE IN CALIFORNIA NURSING HOMES"

"Too many people are suffering and dying... this is absolutely inexcusable. We have laws and regulations already in place that should be preventing these problems, but they are not enforced in any meaningful way."

- Senator Herb Kohl

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"SAFEGUARDING OUR SENIORS: PROTECTING THE ELDERLY FROM PHYSICAL AND SEXUAL ABUSE IN NURSING HOMES"

GAO report, "Nursing Homes: More Can Be Done to Protect Residents from Abuse," finds that allegations of abuse are often not reported promptly nor prosecuted fully.

1987

1995

1997

1998

2000

2002

2007

1989

1990

1996

1999

2001

2004

2005

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"FEDERAL IMPLEMENTATION OF OBRA 1987 NURSING HOME REFORM PROVISIONS"

"There are significant indications that this major effort is seriously floundering. It is a complex law and there is no question that it poses considerable challenges in putting it into place. But these difficulties must not be made worse or even impossible because of bureaucratic obstacles or misplaced priorities."

- Senator David Pryor

HHS issues some regulations for OBRA '87, but delays implementation of many of the law's standards, including enforcement.

HHS establishes "Nursing Home Compare" website.

Government Accountability Office (GAO) reports

- "Nursing Homes: Additional Steps Needed to Strengthen Enforcement of Federal Quality Standards"
- "Nursing Home Care: Enhanced HCFA Oversight of State Programs Would Better Ensure Quality"
- "Nursing Homes: Complaint Investigation Processes Often Inadequate to Protect Residents"

The Commonwealth Fund releases "Assuring Nursing Home Quality: The History and Impact of Federal Standards in OBRA '87," finding significant improvements.

Institute of Medicine (IoM) publishes "Nursing Staff in Hospitals and Nursing Homes: Is It Adequate?" strongly endorsing OBRA '87's standards, but also calling for more nurse staffing.

HHS' "Appropriateness of Minimum Nurse Staffing Ratios in Nursing Homes" finds more than 90% of nursing homes do not provide sufficient staffing to protect residents, but agency does not implement minimum nurse staffing ratios.

GAO releases "Nursing Home Fire Safety: Recent Fires Highlight Weaknesses in Federal Standards and Oversight" after two deadly nursing home fires in 2003. Audit finds federal regulations allow many facilities to operate without sprinklers and other fire protections.

CMS states that it will pursue a regulatory change to require the installation of smoke detectors in nursing homes and plans to include fire safety data on "Nursing Home Compare" website.

New requirement for nursing homes to post daily staffing levels takes effect, requiring facilities to include the daily nursing staff hours.

GAO report requested by Senators Herb Kohl and Charles Grassley, "Nursing Homes: Despite Increased Oversight, Challenges Remain in Ensuring High-Quality Care and Resident Safety," finds inconsistency in how state surveyors conduct inspections and cite serious deficiencies.