

# FAMILIES FOR BETTER CARE

WWW.FAMILIESFORBETTERCARE.COM

June 15, 2011

Kathleen Sebelius, Secretary  
United States Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Dear Secretary Sebelius:

On behalf of more than 1.3 million American citizens who live in our nations' nearly 16,000 nursing homes (and their families), Families for Better Care joins with the following undersigned citizen advocacy groups calling for the United States Department of Health and Human Services Agency to summarily deny the nursing home industry's recent health care exemption request:

1. A Perfect Cause
2. Advocates Committed to Improving Our Nursing Homes
3. Arkansas Advocates for Nursing Home Reform
4. California Advocates for Nursing Home Reform
5. Cape United Elders of Community Action Committee
6. CareWatchers
7. Center for Advocacy for the Rights and Interests of the Elderly
8. Coalition for Quality Care
9. Elder Care Rights Alliance
10. Florida Voices for Quality Care
11. Foundation Aiding the Elderly
12. Kansas Advocates for Better Care
13. Kentuckians for Nursing Home Reform
14. Long-Term Care Community Coalition
15. Maine Voices for Quality Care
16. Maryland Voices for Quality Care
17. Massachusetts Advocates for Nursing Home Reform
18. Michigan Campaign for Quality Care
19. Michigan Citizens for Better Care
20. Nursing Home Monitors
21. Resident Councils of Washington
22. Texas Advocates for Nursing Home Reform
23. Washington D.C. Voices for Quality Care

We strongly believe that if the HHS grants this request it may inadvertently yield disastrous consequences for residents. Our attached resolution outlines the potentially negative ramifications that may befall residents and their caregivers if this exemption is provided.

# FAMILIES FOR BETTER CARE

WWW.FAMILIESFORBETTERCARE.COM

Chief among those issues, the exemption would more than likely cripple the ability of operators to employ a healthy workforce as too many caregivers may be unable to afford costly health insurance premiums. And forced with maintaining an income for their families, caregivers may come to work sick (or not at all); flooding nursing home hallways with additional contagions that further threaten residents who already have compromised immune systems.

We ask that you carefully weigh this decision as the safety and welfare of our nation's nursing home residents hangs in the balance.

If you have any comments or questions regarding our resolution, please feel free to contact me by phone at 850.491.2198 or by email at [brian@familiesforbettercare.com](mailto:brian@familiesforbettercare.com).

Yours in service,



Brian Lee,  
*Executive Director*

Cc: Kathy Greenlee, *Assistant Secretary for Aging*  
Administration on Aging

**A resolution to protect nursing home resident safety  
by ensuring health care coverage for employees**

**WHEREAS**, the approximately two million Americans who live in nursing homes have specific rights and protections to safeguard their health, safety and welfare;

**WHEREAS**, those Americans who live in nursing homes have the right to live in a safe and healthy environment;

**WHEREAS**, the most essential element of long-term care for nursing home residents is the provision of a sufficient number of trained staff that are capable of fulfilling the residents' needs;

**WHEREAS**, nursing home employees who provide direct care services to vulnerable nursing home residents with compromised immune systems must themselves be free of any communicable disease;

**WHEREAS**, the Patient Protection and Affordable Care Act requires that all nursing homes employing more than 50 persons must offer basic health care coverage by 2014;

**WHEREAS**, nursing home trade associations have asserted that insufficiently funded Medicaid and Medicare reimbursement rates forced them to request a health care exemption;

**WHEREAS**, nursing homes continue to show strong earnings, growth and record setting profits as reported within recent publications of the *Senior Care Investor* and the *Wall Street Business Journal*;

**WHEREAS**, nursing home employees who do not have adequate health care coverage may come to work sick and expose residents to further illness or--unable to stay well--may call in sick more often, leaving front line caregivers undermanned to care for residents;

**WHEREAS**, direct care workers have four times the rate of occupational injuries as compared to the United States workforce as a whole, earn one of the lowest hourly wages of any occupation, with few being able to afford health insurance on their own;

**WHEREAS**, insufficient health care coverage for employees will endanger the safety of nursing home residents; now, therefore, be it

**RESOLVED**, that the undersigned respectfully request that the United States Health and Human Services agency summarily deny the nursing home industry's request for those nursing homes employing 50 or more employees be exempt from the laws requiring them to provide basic health care coverage to nursing home employees; and be it

**FURTHER RESOLVED**, that the same agency take special measures to ensure that both the spirit and the intention of the aforementioned federal law be fully implemented in order to safeguard the health and well-being of our nation's nursing home residents and their caregivers.

A Perfect Cause

Advocates Committed to Improving Our Nursing Homes

Arkansas Advocates for Nursing Home Reform

California Advocates for Nursing Home Reform

Cape United Elders of Community Action Committee

CareWatchers

Center for Advocacy for the Rights and Interests of the Elderly

Coalition for Quality Care

Elder Care Rights Alliance

Families for Better Care

Florida Voices for Quality Care

Foundation Aiding the Elderly

Kansas Advocates for Better Care

Kentuckians for Nursing Home Reform

Long-Term Care Community Coalition

Maine Voices for Quality Care

Maryland Voices for Quality Care

Massachusetts Advocates for Nursing Home Reform

Michigan Campaign for Quality Care

Michigan Citizens for Better Care

Nursing Home Monitors

Resident Councils of Washington

Texas Advocates for Nursing Home Reform

Washington D.C. Voices for Quality Care