



April 13, 2020

The Honorable Seema Verma, Administrator
Centers for Medicare and Medicaid Services
U.S. Department of Health and Human Services
Hubert H Humphrey Building, Room 445-G
200 Independence Avenue, SW
Washington, DC 20201

Dear Administrator Verma,

We are writing on behalf of the Gerontological Advanced Practice Nurses Association (GAPNA). Our organization represents the interests of all advanced practice registered nurses (APRNs) who work with older adults, and as such, is dedicated to local, state, and federal advocacy to improve access to high quality health care. APRNs are integral to the provision of person-centered, safe, evidence-based care, and better health care outcomes of older adults in skilled nursing facilities.

GAPNA supports that residents in long-term care facilities need and deserve safe, timely, effective, and efficient care that helps them maintain an optimal level of physical functioning and quality of life. Abuse and neglect should not be tolerated in any setting, especially for vulnerable residents in skilled nursing facilities. We applaud your interest and efforts to prevent and implement changes around this important issue. However, we fear the 'Red Hand' icon warning now on the *Nursing Home Compare* website will cause negative consequences of under reporting and may give the public a false picture of facilities if there is under reporting. We instead want to foster an environment of improving skilled nursing facility policies, procedures, and education through identification of actual or potential issues that may be detected from allegations of abuse.

Multiple services are needed in skilled nursing facilities to maintain quality of care and quality of life. Each service provided is important and there is concern that focusing on one event as a major red flag does not provide a true transparency to the nursing facility as a whole. As APRNs seeing residents and working in skilled nursing facilities, we are aware that reporting a potential abuse situation is not necessarily the full picture of what occurred. We also do not want to create an environment that may discourage reporting of alleged abuses out of fear of potential financial or legal reprimand.

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The *Nursing Home Compare* site has a very good method for providing the public with general information about certain characteristics of skilled nursing facilities but does not have detailed information. Adding the 'Red Hand' alert regarding abuse/neglect deficiencies does not differentiate between the different levels of abuse cited by the state agency which surveys skilled nursing facilities or the details regarding the deficiencies. It would be more appropriate if the 'Red Hand' alert was used for facilities that knew of abuse/neglect but failed to act and or report on those abuses.

Another major concern is the 'Red Hand' alert is based on a subjective survey process that, while improved, remains with inconsistencies across the country. The 'Red Hand' alert is not an effective or proven method to warn individuals. This may bring harm to not only the facility's reputation, but reputable providers who serve the facility and Accountable Care Organizations who have business agreements with facilities that may be harmed or sued needlessly. GAPNA recommends that you remove the 'Red Hand' alert from the website and consider other options for notification of abuse/neglect deficiencies cited in skilled nursing facilities.

GAPNA and your agency have similar goals for our residents and that is safe and effective care. Thank you for your time in considering our concerns. If you have any further questions of our organization, please contact the GAPNA National Office at GAPNA@ajj.com.

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GAPNA President

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