As a state-appointed consumer advocate overseeing complaints about Florida's long-term care industry, Brian Lee became curious about corporate ownership earlier this year. He sent nearly 700 letters to every nursing home in the state requesting information about which entities owned which facilities.

It wasn’t idle curiosity. Numerous investigative reports over the past decade have found that for-profit nursing homes tend to underperform when compared to non-profit facilities. The most recent of these, a U.S. Government Accountability Office study released last month, looked not only at for-profit homes – many of which are operated by publicly-traded companies – but also at nursing homes operated by private investment firms. Private investment firms are not publicly traded; they are less financially transparent than publicly traded or nonprofit firms.

The GAO study reinforced that for-profit nursing homes – which account for more than two-thirds of nursing homes nationwide – had more frequent and serious deficiencies than non-profit homes. And while nursing homes tended not to perform any worse in cases when a private investment firm took over operations from a non-profit or otherwise for-profit firm, private investment firms did tend to spend more money “to increase their homes’ attractiveness to higher paying residents” without doing much to improve staffing or services.

Lee’s letters were sent to find out what many folks with aging loved ones want to know: Who’s really in charge of particular nursing facilities? And does “attractiveness to higher-paying residents” really mean clients will receive better care?

Lee didn’t receive answers. In fact he was asked to resign from his job. And according to a lawsuit he recently filed, Florida Gov. Rick Scott became concerned about Lee’s efforts to keep for-profit nursing homes accountable.

But while that lawsuit filters through Florida’s court system, Lee and other nursing home experts have suggestions for those searching – or potentially searching – for a nursing home in the future.

No longer a Florida state employee, Lee, 39, now works as executive director of Families for Better Care, Inc., which advocates to improve conditions in nursing homes nationwide.

Lee suggests that transparency and corporate structures are important to consider, but that personal choices often come down to what’s right for specific people.

Lee suggests starting any nursing home search with “Nursing Home Compare” – a Medicare web service not unlike a Zagat restaurant ratings guide but for nursing homes. NHC identifies nursing homes within a certain geographic area and then rates them on a scale of one to five stars in categories such as health evaluations and even fire safety inspections.

“Once you narrow your search down to a few nursing homes, go for a couple visits,” Lee says. “See what the staffs are like. How do they interact with patients? How’s the food? Go there and sit down for a meal.”

Lee suggests potential clients should visit nursing facilities at a couple different times if possible to see what the operation looks like when there are fewer staff members on duty.
"Go at night if you can," he says. "And go unannounced."

Patricia Grace, CEO of eldercare resource company Aging With Grace, agrees with this. She says while the Medicare ratings system is functional as a starting point, it can also be misleading if you use it as your lone source of information.

"Sometimes hospitals discharge patients with bedsores to nursing facilities," she says as an example. "When inspectors visit, they're looking at the number of bedsores, not whether those bedsores are healing."

Her point is that deficiencies are important to note, but correction plans are perhaps more indicative of a nursing home's quality.

"All nursing facilities are run by people, and people make mistakes," she says. "So if deficiencies are listed, you want to go to the facility and find out what they're doing to fix those problems."

Charlene Harrington, Ph.D., professor and director of the National Center for Personal Assistance Services at the University of California in San Francisco, agrees that the for-profit versus non-profit argument can be overwhelming if someone is trying to make a quick decision about which nursing home is right for a loved one. But she says it's worth some serious consideration.

"Staffing is really the key to running a quality nursing home," she says. "And because staffing is expensive, for-profits tend to cut staff when it helps the bottom line."

Jonathan Rosenfeld, a Chicago area lawyer who represents people injured in nursing homes, says a lack of staff can lead to troubling situations.

"You don't have to be an exert to pick up on problems at these facilities," he says. Rosenfeld, too, says a trip or two to the nursing home you're considering is integral. "Look around. Do the patients look happy or well groomed? Do they seem glassy-eyed?"

Rosenfeld says some firms with small nursing staffs over-drug patients so they'll be sedate and require less attention.

"You need to think about these things," he says. "A lot of people choose a nursing home based on geography or convenience when quality should really be your focus."

Which is why Clare Whitbeck says patience is key when it's time to look for a nursing facility. Whitbeck runs Voices for Quality Care, a D.C. area nonprofit that advises families on long-term care options. She stresses that people don't often plan to go into nursing facilities, so, by default, they often rely on suggestions from hospital discharge practitioners who don't necessarily know which nursing facilities are best.

"Hospitals are not going to kick you out on the street," she says. "If you're in a situation where you're being asked to leave a hospital, ask for a few extra days. They will give it to you. Take the time to do some research and investigate. In the long run, your loved one will be happy you took the extra time."
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