

What's fueling America's dreadful nursing home care?

*featuring Tony Chicotel,
California Advocates for
Nursing Home Reform*



This time on Code WACK!

This time on **Code WACK!** Are regulations meant to protect nursing home residents being enforced? How is understaffing at the California Dept of Public Health affecting nursing home regulation? *Are for-profit and nonprofit nursing homes comparable* when it comes to the quality of care residents receive? **What reforms are in the works to better protect residents?**

To find out, we spoke to **Tony Chicotel**, senior staff attorney at [California Advocates for Nursing Home Reform](#), or **CANHR**, where he promotes the rights of residents in long-term care facilities through litigation, legislation, regulatory policy, and consumer education.

SHOW NOTES

WE DISCUSS

You mentioned that there are good regulatory and statutory standards for nursing homes at both the state and federal levels. But the quality of nursing home care is still wanting, largely due to lack of enforcement of those standards. Tell us more about that . . .

"So let's start with the basics. There's an understaffing issue in nursing homes for sure. There's also an understaffing issue at the (state) Department of Public Health. They've had a lot of trouble filling their inspector positions, and this is a national problem ... So that's one problem.

"And ... California has never had more nursing home complaints filed... In the last year, we ... have had 14,000 nursing home complaints filed with the state. That is an all time high

"So there's more complaints than ever. There's fewer inspectors to go out and do the investigations ... We're way behind on surveys. So what does that lead to? It leads to, you know, cutting corners so enforcement is lacking. ... it's pretty grim from an enforcement perspective. And I think quality has suffered as a result.

I mean, we continue to get complaints about care that just boggle my mind. I mean, just gross neglect of residents. " – **Tony Chicotel**

So what's being done to help fix the situation?

"There's been a lot of legislative initiative to improve care, both in nursing homes and assisted living facilities. And the governor has been very affirmative on those efforts.

"So there's been a couple states, including California, that've [passed] financial transparency laws requiring facilities ..., especially chains of nursing homes, to report more how the money is going up to the top and how much of it is being spent on actual care ...

"And then there's ... other reform efforts in terms of protecting residents from inappropriate discharges, which is a significant concern of residents and is also connected to the money issue when residents switch from lucrative Medicare reimbursement to a lower revenue source or payment source." - **Tony Chicotel**

Why is transparency of ownership and financing so important?

"It's about accountability and it's about ... ensuring that facilities are spending their money the way we think they ought to spend the money, seeing how we're giving it to them. They shouldn't be just, you know, handouts you know, *"do your best and we trust you."*

I think the time has long passed where we trust the facilities to do the right thing and spend the money on care. We know that they siphon off money away from care as much as they possibly can, in some situations (within some chains) to pad the profits. And to get away with as little, providing as little care as possible. We need to end that. And the, and the best way to end that is to, is to open the books and see exactly where they're spending their money," - **Tony Chicotel**

Helpful Links

[California Advocates for Nursing Home Reform \(CANHR\)](#)

[Where are the inspectors? How a lack of nursing home oversight is endangering residents \(U.S.A. Today\)](#)

[Addressing the Nursing Home Crisis: A New Federal Proposal Makes Nurses Part of the Solution](#), *Nurse Journal*

[CANHR to sponsor/co sponsor five bills aimed at fairness in long term care](#), *California Advocates for Nursing Home Reform*

[Drain of Funds: How Private Equity Siphons Money Out of Nursing Homes](#), *Senior Justice Law Firm*

[Better Staffing is Achievable: A Look at For-Profit vs Non-Profit Nursing Homes](#), *National Consumer Voice*

Episode Transcript

Read the [episode transcript](#).

Guest Biography - Tony Chicotel

Tony Chicotel is from Huron, Ohio and a graduate of Muskingum University (B.A.) The Ohio State University College of Law (J.D.) and the University of California School of Public Policy (MPP).

Since 2006, Tony has worked for [California Advocates for Nursing Home Reform](#), also known as CANHR.

His primary work is to promote the rights of residents in long term care facilities - through litigation, legislation, regulatory policy, and consumer education.

Tony's focus areas include: civil rights, eviction defense, dementia care, incapacity and decision making, conservatorship, and end-of-life care.

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