

## Congress Should Improve Nursing Home Safety and Security

(First published in the Charlotte Sun-Herald, September 6, 2007)

We have a responsibility to ensure that our seniors in nursing homes and others in long-term care facilities are protected. To better protect our friends and family who are entrusted to the care of others, I have introduced the Patient Safety and Protection Act. This legislation would require federal background checks for employees at nursing homes and other long-term care facilities. It would also create a national clearinghouse to prevent workers with criminal backgrounds and histories of abuse from working at facilities that care for country's most vulnerable.

The Patient Safety and Protection Act is based on a seven-state pilot program established by the Medicare Modernization Act of 2003 to examine ways in which states can implement systems to cost-effectively screen applicants for employment in long-term care facilities. The program, which will conclude in September, has already succeeded in identifying and excluding over 5,000 applicants with a criminal history from employment at long-term care facilities in these states.

Forty-one states, including Florida, already require a criminal background check for employees at long-term care facilities, but standards and inter-state information sharing varies. State law requires a Florida Department of Law Enforcement background check for applicants who have lived in Florida for five years or more. For applicants who have lived in Florida for less than five years, an FBI background check is required.

This legislation would allow Florida to integrate its screening systems into one streamlined process and add a federal background check for all applicants through the FBI's Integrated Automated Fingerprint Identification System. Providers would be able to bill Medicare and Medicaid for the cost of the national background check.

While the majority of workers caring for the elderly and others living in long-term care facilities are outstanding individuals, we cannot afford to rely on good faith when hiring workers to care for our community's most vulnerable. Adding a federal background check will help ensure that the lives and wellbeing of our seniors and other in nursing homes cannot be put in the hands of convicted criminals. It will also move us a step closer to replacing the patchwork system with an integrated national system of background checks to prevent individuals from crossing state borders to avoid security screening.

can work in nursing homes and other care facilities. I am proud to fight for the rights of all those who live in a long-term care facility or have a loved one in a nursing home. We have a responsibility to ensure that everyone in our community has the opportunity to feel safe at home and live with comfort and dignity.

Congressman Tim Mahoney