

State officials move to tighten oversight of nursing homes

Massachusetts health regulators moved Wednesday to significantly strengthen oversight of nursing homes, creating a unit that will conduct unannounced inspections and imposing fines on problem-plagued facilities.

The overhaul, unveiled by the state's public health commissioner, also calls for intensified scrutiny of companies and executives seeking licenses to run one of the 400-plus nursing homes in Massachusetts.

The actions follow revelations about significant gaps in state oversight of nursing homes at a time when dozens of facilities have been sold or closed. A series of Boston Globe stories last year showed how an out-of-state chain had assembled its string of nursing homes with scant public input. That company, Synergy Health Centers, has been beset by reports of substandard care — festering pressure sores, medication errors, poor infection control, inadequate training, and short-staffing.

Dr. Monica Bharel, the state health commissioner, revealed Wednesday that the state has a backlog of consumer complaints about nursing homes.

As part of the changes Bharel announced, consumers will have access to a new online system to file complaints and find more detailed information about nursing homes.

Families with relatives in nursing homes have long expressed frustration with the state's system for filing complaints. Last year alone, there were about 11,000 such consumer complaints and problems reported by nursing homes to the state Department of Public Health, according to Bharel.

“We need to find a better way to triage and address the backlog of complaints,” Bharel said as she presented the overhaul to the Public Health Council, an appointed body of academics, consumer advocates, and physicians that approve health regulations.

Roughly 40,000 residents live in nursing homes in Massachusetts.

Bharel said her department will hire and train more staff, but did not detail how the agency will pay for the new hires.

“In the areas of licensure and determining suitability [of nursing home applicants] our regulatory and operational approach is really not sufficient to handle the shift in the nursing home industry,” Bharel said.

She said her department will start imposing state fines and requiring more information in March from companies seeking to buy a nursing home.

A Globe story in December highlighted the ability of Synergy, a New Jersey company, to assemble a string of 11 Massachusetts nursing homes with little state scrutiny of the backgrounds of top executives. One of the executives faced tens of thousands of dollars in fines because of previous business dealings.

The Globe's review also found that the health department had neglected to verify tax information provided by Synergy when it applied for several state nursing home licences. Synergy had reported that all of its taxes had been paid, but records showed the company had liens placed on it because of unpaid state taxes.

At the same time, state and federal records showed a record of substandard care at a number of Synergy nursing homes.

A new rule that went into effect Jan. 1 provides for more public say when nursing homes are sold or closed.

Under the new rules, operators would be required to notify the public before nursing homes are sold or closed, and hearings would be mandated for any closings. Lawmakers had directed the health department in July 2014 to create a more public process, but the new rules were not put into effect until last month.

By Kay Lazar