

**The Quality Care for Nursing Home Residents and Workers During COVID-19 Act Of 2020**  
**CONGRESSWOMAN JAN SCHAKOWSKY (D-IL)**  
**SENATOR CORY BOOKER (D-NJ) & SENATOR RICHARD BLUMENTHAL (D-CT)**

**The coronavirus disease 2019 (COVID-19) crisis in our nation’s nursing homes and long-term care facilities demands a comprehensive response. This bill will protect the health and well-being of both nursing home residents and workers by increasing infection prevention, quality of care, and worker safety; surging resources to the hardest hit nursing homes; mandating transparency and reporting of COVID-19 cases and fatalities; and requiring the Centers for Medicare & Medicaid Services (CMS) to conduct better oversight, including inspections and guidance.**

Approximately 15,600 U.S. nursing homes provide essential health care for more than 1.3 million Americans. However, their close quarters and older resident populations make them uniquely vulnerable to COVID-19. At least 20,000 nursing home residents have died from COVID-19—but because CMS has yet to implement data collection, we still do not know the full extent of COVID-19 cases and fatalities among residents or the workers who care for them. Unfortunately, nursing homes themselves can also exacerbate the spread of coronavirus within their facilities. Failures to enact strict infection control and prevention procedures can lead to outbreaks. Additionally, staff often work in multiple facilities to make ends meet without adequate testing, personal protective equipment (PPE), or paid sick leave. Though the Centers for Disease Control and Prevention (CDC) issued guidance to nursing homes, they are not required to follow all of the recommendations.

**This new legislation would immediately address our inadequate response to the COVID-19 crisis in our nursing homes by guaranteeing:**

- **QUALITY OF CARE:** Requires facilities to employ a full-time infection preventionist; ensure adequate numbers of staff to assist residents in making weekly “virtual visits;” allow residents the right to return if they leave during the COVID-19 crisis; obtain sign-off from residents or representatives for transfer or discharge
- **WORKER SAFETY:** Requires facilities to provide comprehensive worker training around COVID-19, sufficient PPE, and at least two weeks of paid sick leave for all employees
- **INCREASED TESTING:** Requires weekly testing for residents and daily pre-shift testing for staff, or screenings until sufficient tests become available
- **TRANSPARENCY:** Requires facilities to report COVID-19 cases, including demographic information, all COVID-19 and non-COVID-19 fatalities, PPE available and projected need, staffing and testing data every 24 hours; requires facilities to inform residents, residents, their representatives, and workers within 12 hours of a death or confirmed case; requires CDC and CMS to coordinate to publicly post COVID-19 data online
- **STRIKE TEAMS:** Authorizes \$500 million for states to establish expert strike teams for resident and worker safety to be deployed within 72 hours of 3+ confirmed or suspected COVID-19 cases in a facility
- **INFECTION CONTROL:** Requires state survey agencies to ensure surveyors have adequate PPE and conduct an inspection within 72 hours if ratio of fatalities to confirmed or suspected COVID-19 cases exceeds 5%
- **RESIDENT RIGHTS:** Requires CMS to establish criteria for facility to be designated as COVID-19-only, to develop a plan to address complaint surveys that have been paused during the emergency, and to reinstitute pre-pandemic requirements as soon as possible
- **IMPROVED CONGREGATE LIVING:** Requires the Secretary to issue public recommendations to congregate living facilities outside CMS jurisdiction around virtual visits, worker safety, and infection prevention.

**Endorsing organizations:** Alliance for Retired Americans; California Advocates for Nursing Home Reform; Center for Medicare Advocacy; Gray Panthers; Justice in Aging; Long Term Care Community Coalition; Medicare Rights Center, the National Committee to Preserve Social Security and Medicare; National Consumer Voice for Quality Long-Term Care; National Employment Law Project; Public Citizen; Service Employees International Union; Shriver Center on Poverty Law; Social Security Works; Western Center on Law & Poverty.