

PRESS RELEASE -

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Governor's Severe Cuts to Ombudsman Program Expose Elders to Abuse and Neglect

San Francisco - With the stroke of his pen, Governor Schwarzenegger has imperiled 250,000 nursing home and assisted living residents by eliminating all state funding for California's long term care ombudsman program.

In a little publicized line item veto on September 23, 2008, the Governor cut \$3.8 million (100 percent of California state funds), which represents about half of all funding for ombudsman services.

Since its inception three decades ago, the ombudsman program has investigated elder abuse and other complaints on behalf of residents of California's 1,300 nursing homes and more than 8,000 assisted living facilities. Many of the extraordinarily vulnerable people living in long term care facilities have no family or friends who visit or advocate for them. Ombudsman staff and hundreds of state-certified volunteers fill this void by making regular visits to facilities and responding to residents' complaints and concerns. Their frontline work has exposed countless incidents of neglect and abuse and often helps residents protect important rights that might otherwise be ignored.

The severe cuts are having a devastating impact on the network of about three-dozen nonprofit and county agencies that provide ombudsman services throughout California. Small programs in rural California are at risk of closing, while larger programs are laying-off many staff and drastically reducing services. Due to the cuts, the programs are unable to comply with various state mandates involving the protection of residents.

The California Department of Aging (CDA), which administers the ombudsman program at the state level, is sitting on its hands while the infrastructure of local ombudsman programs is being ripped apart. Perversely, the Governor maintained full funding for CDA's state ombudsman office - which provides no services to residents - and hasn't diverted any of its funds to support the local programs that serve residents.

The Governor gutted the ombudsman program just days after the federal government issued its latest report condemning conditions in nursing homes. A September 18, 2008 report by the Inspector General of the Department of Health and Human Services reported that over 90 percent of nursing homes violated federal standards last year and about 17 percent had deficiencies that caused actual harm or immediate jeopardy to residents.

Conditions in California were even worse, where **99 percent of the nursing homes had deficiencies.**

Lack of money is not the problem. The Governor's new budget authorized another lavish Medi-Cal rate increase for California's nursing homes, whose annual payments from Medi-Cal have increased by more than \$1 billion since he took office. He sought and signed a multi-hundred-million dollar nursing home rate increase this year, and signed legislation calling for 5 percent rate increases in each of the two following years.

Under Governor Schwarzenegger's budget, California's worst nursing homes - some of them operated by convicted criminals - are guaranteed profits due to an unprecedented profit component that pays nursing homes 8 percent of their labor costs to spend or pocket as they wish.

"These appalling cuts speak volumes about Governor Schwarzenegger's lack of concern for residents who are suffering from infected bedsores, malnutrition, physical and chemical restraints, and many other types of mistreatment," said Patricia McGinnis, CANHR's Executive Director. "We call on him to restore local ombudsman funding immediately and strengthen oversight of all California long term care facilities."

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About CANHR: California Advocates for Nursing Home Reform (CANHR), is a statewide nonprofit advocacy organization dedicated to improving the choices, care and quality of life for California's long term care consumers. Through direct advocacy, community education, legislation and litigation it has been CANHR's goal to educate and support long term care consumers and advocates regarding the rights and remedies under the law, and to create a united voice for long term care reform and humane alternatives to institutionalization.