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## Medicine: Nursing Homes Under Fire

It is no secret that, with some notable exceptions, the nation's 23,000 nursing homes are dismal places owned by investors far more interested in turning a fast profit than in caring for their elderly patients. Ralph Nader's group described nursing homes with depressing accuracy in a 1970 report. Mary Mendelson, a Cleveland community-planning consultant, exposed the industry's seamy side last spring in her well-researched book *Tender Loving Greed* (TIME, June 3). Last week nursing homes were once again under scrutiny, this time by federal and state investigators. In Manhattan, a subcommittee of the U.S. Senate Special Committee on Aging opened hearings into charges of abuses and irregularities in New York nursing homes and got a glimpse of just how badly the elderly are often treated. In the opening session of the hearings, health department inspectors told of elderly patients confined to filthy, unchanged beds, given wrong diets and medications and being generally ignored until their conditions were critical.

The New York investigation centers around Bernard Bergman, 63, a Hungarian-born Manhattan rabbi (without congregation) who is involved in the operation of a disputed number of nursing homes in the area. A series of recent probes made headlines when Andrew Stein, a state assemblyman whose commission on living costs has been studying the nursing-home industry, charged widespread padding of Medicare and Medicaid bills submitted from a number of homes, including Bergman's. According to New York's secretary of state Mario Cuomo, Bergman's homes not only mistreated their patients but defrauded the state of Medicaid funds by submitting false and inflated bills. Stein also charged that Bergman's powerfully placed friends in the state legislature had impeded earlier investigations.

Essential Investigation. Bergman indignantly denied the charges. Appearing before the Senate committee, he insisted that the homes with which he was connected were well run and accused investigators of resorting to McCarthy-like tactics to smear him.

The committee produced little solid evidence against Bergman, but witnesses did document the dreadful conditions that prevail in many homes. A physician from Morrisania City Hospital said that patients were frequently brought to the emergency room in a coma from dehydration because no one bothered to see that they drank water. They were also dangerously debilitated by infected bedsores that developed when they were left lying neglected on coarse sheets. A nurse, who worked as an inspector for the New York City health department, reported that a nursing home had failed to notify officials of a serious diarrhea epidemic. A surprise inspection of the home's kitchen revealed that patients were being given milk that should have been used at least a week earlier. This same inspection found excrement on the floors in patients' rooms and other equally unsanitary conditions.

Other investigations, meanwhile, were confirming a familiar story: society, families and the medical profession have not really met their obligations to the elderly. Many nursing homes are overcrowded and understaffed and offer little medical attention to their patients; substandard conditions and financial skulduggery are common throughout the industry. In Illinois, for example, the mysterious deaths of several nursing-home patients in Lake County triggered a legislative investigation that could expand to cover the entire state. In California, the office of the city attorney and the bureau of consumer affairs are planning a joint probe of Los Angeles nursing homes and hope to publish a consumer's guide to care facilities for the elderly. A federal investigation now under way in New Jersey led to the indictment of one nursing-home operator for fraud; a grand jury was expected to hand up similar indictments against others. In New York, the state health department moved to close 62 of the state's homes for fire-safety violations.

These inquiries are essential. Few businesses need investigation more than the nursing-home industry, which is controlled, to a large extent, by interlocking ownerships and gets \$3.5 billion in federal, state and private funds to care for about a million patients each year. But scrutiny is not enough. Government agencies have investigated nursing homes countless times in recent years. What they have failed to do is follow up the inquiries with more effective regulation.