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STATE RETIREE ORGANIZATION FIGHTS TORT REFORM RE NURSING HOME

The Pennsylvania Alliance for Retired Americans urges Pennsylvania and National Legislators to refuse to adopt limitations on awards in lawsuits as a result of Nursing home abuse and neglect. Martin Berger, President of PARA, urges legislators to think more in terms of the needs of the patients and not the owners of Nursing Homes.

In the year 2000, Pennsylvania had 778 Nursing Homes with 84,588 residents. These home residents are among the most vulnerable group in the country as they rely on others for assistance. Auditor General Robert Casey, Jr. issued three reports on Nursing Homes in Pennsylvania in March 1998, April 1998, and February 2001. His reports found that agencies were not responding the patients' complaints. In 2001 a Congressional Committee investigated homes in one Congressional District and found that more than one half of the homes had a violation that caused actual harm to the residents or had the potential to cause death or serious injury.

Now come the industries high paid lobbyists who would deny nursing home residents proper restitution for their pain and suffering by limiting the amount that a jury might award. The case for considering the needs of the patients is overwhelming. Federal investigators recently reported that in more than 30% of the nation's 17,000 nursing homes, State Inspectors have issued citations for violations that have harmed residents or put them in immediate jeopardy. A Congressional study released in February 2002 found that 9 out of 10 homes lacked adequate staff, which results in danger to the lives of the residents

In testimony, by the National Citizens Coalition for Nursing Home Reform, before Congress in June 2002, the organization said, "Despite these staggering statistics, the nursing home industry is supporting Federal legislation that would put limits on one of the few protections shielding our nation's frail, elderly nursing home residents: civil lawsuits that hold facilities accountable for the injuries they have inflicted" Organizations that advocate for nursing home residents urge defeat of HB 4600, currently in the Congress.

Attempts to insulate the nursing home industry against law suits flies in the face of the evidence against them. The Philadelphia office of the United States' Attorney has prosecuted Manor Care, Inc, Chester Care, Integrated Health Systems, Suburban Woods, The Philadelphia Nursing Home, GMA Management-Tucker, Ashton Hall and Mercy Douglass Inc. They were prosecuted for the neglectful treatment of nursing home patients and the mentally retarded. National nursing home chain, Vencor, Inc., agreed to pay a fine of \$104.4 million to settle allegations by the U.S. Dept. of Justice that it had defrauded federal government health programs.

High paid lobbyists for Doctors, Industry and Nursing Homes are on a rampage in the Pennsylvania Legislature winning votes to alleviate their responsibility and leaving helpless those who are in most vulnerable to suffer injuries caused by doctors' malpractice, faulty equipment in industry and abuse in a nursing home.

PARA and others intend to expose the motives for this so called Tort Reform legislation.

For a report on Nursing Home issues in the U. S. prepared by the Alliance for Retired Americans write to: PARA, P.O.Box 1052, Harrisburg, Pa. 17108-1052.

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