

APPENDIX II

Listing of nursing home-related COVID-19 congressional and oversight activity to date.

In the months before the pandemic began, Members of Congress in both parties—particularly in the Senate—were working on matters related to nursing homes. They included [Sens. Chuck Grassley \(R-IA\) and Ron Wyden \(D-OR\)](#), then the Chairman and Ranking Member of the Senate Finance Committee, as well as Finance Committee members [Sens. Bob Casey \(D-PA\) and Pat Toomey \(D-PA\)](#). Throughout the pandemic, these senators and others in Congress have been monitoring the state of the nation’s nursing homes.

Date	Activity
March 2020	Then-Ranking Member of the House Ways & Means Committee, Rep. Richard Neal (D-MA) and Sen. Wyden, wrote to CMS to “express our growing concern” about the COVID-19 pandemic and alleging that what the Members perceived as regulatory rollbacks would weaken nursing homes’ response to the pandemic.
May 19, 2020	Sen. Casey and several Senate Democrats introduced the Nursing Home COVID-19 Protection and Prevention Act . The bill would provide \$20 billion for states and tribes to offset the cost of cohorting individuals with COVID-19 in congregate living facilities, including nursing homes, and require data collection regarding COVID-19 infections in these facilities.
May 20, 2020	The Government Accountability Office (GAO) issued a report titled “ Infection Control Deficiencies Were Widespread and Persistent in Nursing Homes Prior to COVID-19 Pandemic .” GAO found that infection control and prevention deficiencies were the most common types of deficiency cited in nursing home surveys.
May 21, 2020	The Senate Committee on Aging held a hearing titled “ Caring for Seniors Amid the COVID-19 Crisis .”
May 2020	House Energy and Commerce Health Subcommittee Chairwoman Anna Eshoo (D-CA) and Reps. Jan Schakowsky (D-IL), Donna Shalala (D-FL), Madeleine Dean (D-PA) and Seth Moulton (D-MA) introduced the Nursing Home COVID-19 Protection and Prevention Act . The legislation would provide \$20 billion in part to states and nursing homes, and provide for additional technical assistance.
May 2020	GAO released a report performed at the request of Sen. Wyden titled “ Infection Control Deficiencies Were Widespread and Persistent in Nursing Homes Prior to COVID-19 Pandemic .”

Date	Activity
June 25, 2020	The House Ways & Means Committee's Health Subcommittee held a hearing titled " Examining the COVID-19 Nursing Home Crisis ." The hearing featured several witnesses, including resident advocates, an ombudsman, an academic and a hospital executive.
July 2020	Sens. Grassley, Daines (R-MT), and McSally (R-AZ), introduced the Emergency Support for Nursing Homes and Elder Justice Reform Act . The bill would provide for additional personal protective equipment in nursing homes, establish strike teams, promote tele-visitation for residents, and upgrade the Five Star Ratings System, among other things.
July 2020	Sen. Casey, then Ranking Member of the Senate Special Committee on Aging, Sen. Gary Peters (D-MI), then-Ranking Member of the Senate Homeland Security and Government Affairs Committee, and Sen. Wyden, then-Ranking Member on the Senate Finance Committee, published a report, " COVID-19 in Nursing Homes: How the Trump Administration Failed Residents and Workers ." The report's recommendations include improving data collection from nursing homes, providing additional funding to nursing homes, and enhancing home and community-based services.
September 2020	The Senate Finance Committee released a report titled " COVID-19 and Nursing Homes: What Went Wrong and Next Steps ." The extensive, 66-page report delves into exhaustive detail regarding various quality concerns in nursing homes.
September 21, 2020	GAO issued a report titled " Federal Efforts Could be Strengthened by Timely and Concerted Actions ." GAO recommended HHS and CMS develop a strategy to capture more complete COVID-19 data from nursing homes retroactively to January 1, 2020.
November 2020	Sens. Casey (D-PA) and Toomey (R-PA) and Reps. Anna Eshoo (D-CA), Bill Pascrell (D-NJ), Mike Kelly (R-PA), and David McKinley (R-WV) introduced the Nursing Home Reform Modernization Act of 2020 . This bill would create an advisory council on skilled nursing, establish a ranking system for facilities (seemingly much like the current Five Star ratings system), and provide educational opportunities for staff in poorly-rated facilities.
November 30, 2020	GAO issued a report titled " COVID-19: Urgent Actions Needed to Better Ensure an Effective

Date	Activity
	<p>Federal Response.” GAO recommended CMS quickly develop a plan that details how the agency will respond to and implement recommendations from the Coronavirus Commission on Nursing Homes’ final report.</p>
December 2020	<p>Sens. Wyden and Casey released a report titled “The Cost of Inaction: 19 Deaths an Hour and Rising,” the findings suggesting rising numbers of COVID-19 cases in nursing homes and workforce shortages, demonstrating “the continuing cost of inaction by the Trump Administration.”</p>
December 2020	<p>The HHS Office of Inspector General (OIG) released a study titled “Onsite Surveys of Nursing Homes During the COVID-19 Pandemic: March 23-May 30, 2020.” The OIG found that states were concerned for several reasons, including challenges in securing adequate protective equipment and backlogs of standard surveys and complaint surveys. The OIG also recommended CMS revise the Focused Infection Control Survey tool, among other things.</p>