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# For 2 types of senior living homes facing coronavirus, a striking disparity in federal support

*Between nursing homes and assisted living, only one receives federal aid.*

By Allison Pecorin

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While nursing homes and assisted living facilities perform many of the same functions in service of the nation’s aging population -- and both have felt the ravages of the [coronavirus](#) -- they are receiving very different treatment from the federal government, according to elder care advocates.

Only nursing homes have been thrown a lifeline, to the tune of nearly \$5 billion in economic aid and federal disaster shipments of much-needed protective equipment. Assisted living facilities have received no direct federal help.

“What we need now is to rally around assisted living communities like the country is now doing for nursing homes,” wrote Mark Parkinson and Scott Tittle, leaders of the National Center for Assisted Living, an organization that, along with American Health Care Association, represents thousands of non-profit nursing and assisted living homes, in a letter to the Trump administration earlier this month.

The two kinds of elder care are not identical. Unlike nursing homes, which typically cater to seniors with significant medical needs, assisted living facilities are retirement communities that serve elderly residents with

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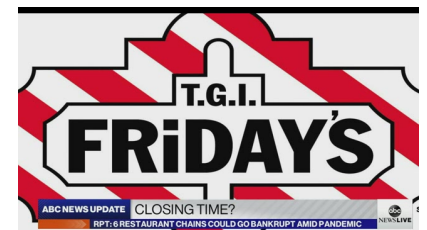


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varying degrees of independence, with some offering graduated care. There are about 1.4 million Americans in nursing homes, and about 1 million who reside in assisted living facilities, according to advocates.

And perhaps most importantly, the federal government regulates most nursing homes, but plays no role in overseeing assisted living.

Sen. Elizabeth Warren, D-Mass., said during a recent congressional hearing that she was surprised to discover the federal government was not even tracking the death toll in assisted living settings.

“The reality is this virus doesn’t care whether seniors are living in assisted living facilities or living in nursing homes. It can affect them regardless,” Warren said.

The federal government recently did begin tracking nursing home deaths, however, and data shows that they number more than 30,000 -- approximately one-fourth of the 120,000-plus total U.S. coronavirus death toll.

But ABC News' [previous surveys](#) of state-by-state data suggests the number of deaths in elderly communities, to include those from assisted living facilities and those that occurred before nursing home federal reporting requirements came down in May, may be significantly higher.

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Available state data suggests residents of assisted living have fared better, but are still seeing a significant toll. In Tennessee, 133 have died in nursing homes while 24 have fallen to the virus while in assisted living, according to the state figures. Texas has seen 895 nursing home fatalities, and 136 deaths in assisted living.

But since the onset of the crisis, only nursing homes have benefited from a significant rush of federal aid, advocates say.

In May, the U.S. Department of Health and Human Services granted \$4.9 billion in funding to nursing home facilities. None of that funding went to assisted living facilities.

“This funding secured by President Trump will help nursing homes keep the seniors they care for safe during the COVID-19 pandemic,” said HHS Secretary Alex Azar when the funding was announced. “The Trump Administration is providing every resource we can, from funding and direct PPE shipments to regulatory flexibility and infection control consultations, to protect seniors in nursing homes and those who care for them.”

A separate federal effort that was aimed at providing two weeks of protective equipment to nursing homes was announced around the same time. In the announcement of this federal effort, advocates were told assisted living facilities would not be included.

The discrepancy in aid to these two types of facilities, which often provide similar or identical types of services, has left assisted living advocates calling on the government for a more robust response.

Leaders of the National Center for Assisted Living laid out the stark differences in a letter to the Federal Emergency Management Agency and the Department of Health and Human Services earlier this month.

“To date, assisted living communities have not received any direct federal funding, [protective gear] or prioritization for testing (outside of some minimal state support),” the letter said. “While much warranted attention has been focused on nursing homes, there has been an alarming number of confirmed COVID-19 cases in assisted living communities reported.”

LeadingAge, an association of nonprofit providers of aging services that includes many nursing homes and assisted living communities sent a separate letter to Congress urging lawmakers to include funds for assisted living homes in any future coronavirus relief legislation.

“We implore you to take immediate action,” Katie Smith Sloan, the President and CEO of LeadingAge wrote. “Our communities and older adults cannot wait for further relief.

The House of Representatives passed additional coronavirus relief legislation in May that would allow for additional funding to these facilities, but the Senate has not yet taken up the legislation.

Assisted living facilities have also struggled to access necessary protective equipment. Even though they are not focused on medical care, many provide services that put staff in close contact with residents as they assist residents with daily living tasks.

A recent survey of 375 assisted living facilities by the National Centers for Assisted Living found less than half had a two week supply of protective equipment on hand. Seven out of 10 had reached out to state and local health departments asking for additional supplies, and nearly half had been forced to seek donations from the public.

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LeadingAge members pressed FEMA officials about much-needed shipments of protective gear during a conference call. They said during the meeting, Col. Brian Kuhn, the defense logistics official overseeing the shipments, told the group that a different agency, the Centers for Medicare and Medicaid Service (CMS), made the decision to ship supplies only to the nation’s 15,000 nursing homes, and not to assisted living facilities.

“CMS were the ones that made the decision on where to draw the line,” Kuhn said.

Officials with the agency told ABC News that they have been less engaged with assisted living because they only regulate nursing homes. Nursing homes have far more residents dependent on Medicaid, and as a result, rely

more heavily on federal funding and face more federal regulation. Assisted living facilities are generally privately funded and so are typically regulated by state agencies.

In response to an inquiry from ABC News, a CMS official said that assisted living facilities are not regulated at the federal level and are therefore not under the agency's jurisdiction, though the official added that assisted living facilities have the option to adopt the guidance that the agency has issued for nursing homes. The agency also recommended that ABC News reach out to the Department of Health and Human Services, but officials there did not immediately reply to a request for comment.

University of Chicago Professor R. Tamara Konetzka, who studies nursing homes and assisted living facilities, said that the differences between nursing and assisted living facilities varies by state. Assisted living often allows for slightly more separation between residents, but still involves staff care that has shown to be a potential vector of outbreaks.


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“They’re just older populations who probably are very vulnerable to the virus,” Konetzka said.

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