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New Jersey Should Improve Its Oversight of Nursing Homes' Compliance With Background Check Requirements

Why OIG Did This Audit

- Background checks for employees are an important safety measure that can help protect some of the most vulnerable populations. Approximately 1.2 million people reside in nursing homes, with more than half of them relying on Medicare and Medicaid to pay for their long-term care. Oversight and management of nursing homes are crucial to the safety of long-term care residents.
- This audit assessed whether New Jersey ensured that selected nursing homes complied with Federal requirements that prohibit the employment of individuals with disqualifying backgrounds during calendar year 2022 (audit period). We reviewed 10 staff members at each of 12 nonstatistically selected nursing homes.

What OIG Found

New Jersey did not ensure that 11 of the 12 selected nursing homes complied with Federal requirements that prohibit the employment of individuals with disqualifying backgrounds during our audit period. In total, these 11 nursing homes did not comply (deficiency) or did not document compliance (potential deficiency) with background check requirements for 33 of the 120 employees reviewed. Specifically:

- Nine nursing homes allowed a total of 17 staff members to provide care before completing a background check.
- Four nursing homes employed a total of six staff members without performing background checks.
- One nursing home did not provide documentation that it had performed background checks for the 10 selected staff members.

These deficiencies and potential deficiencies occurred because New Jersey's sampling of employees during its nursing home recertification surveys did not provide adequate coverage. Also, nursing homes did not have sufficient procedures to ensure that background checks were properly conducted for all staff members. This put residents at risk of abuse, neglect, exploitation, or mistreatment.

What OIG Recommends

We made two recommendations to New Jersey, including that it improve its procedures for monitoring nursing homes' compliance with background check requirements and provide guidance to nursing homes to implement adequate procedures for conducting background checks in accordance with Federal requirements. New Jersey did not indicate concurrence or nonconcurrence with our recommendations but detailed steps it has taken and plans to take in response to our recommendations.