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**U.S. Senate Aging Committee Considers Assisted Living Issues;  
NSCLC Says Federal Law Needed to Protect Consumers from Evictions**

WASHINGTON --- The federal government should take a more active role in oversight of assisted living facilities in light of current common practice that allows facilities to kick out or refuse to admit Medicaid-eligible residents even though the facilities themselves are approved to participate in Medicaid.

“Assisted living facilities are glad to accept money from Medicaid, but currently they don’t live by the same rules as other Medicaid-certified providers,” said National Senior Citizens Law Center Directing Attorney Eric Carlson during a roundtable discussion about assisted living issues March 15 on Capitol Hill.

“If they agree to accept Medicaid, assisted living facilities should be held as accountable as other health care providers at both the federal and state levels.” Carlson added. He also explained how, in the absence of consistent federal oversight, states have developed widely varying rules that do not protect consumers adequately.

When assisted living facilities stop accepting Medicaid, Carlson said the results can be devastating to residents. For example, after one 89-year-old Washington woman received an eviction notice when her facility stopped accepting Medicaid, she grew depressed, stopped eating and died within the month.

Carlson also recommended that federal law be enforced to protect residents when a facility refuses Medicaid as in the tragic case above. It also calls on states to write rules to require Medicaid- certified facilities to accept residents regardless of their Medicaid status and prohibit facilities from penalizing current residents when a facility chooses to decertify.

In his remarks, Carlson pointed to other problems and challenges related to the oversight of assisted living, basing his comments on a series of policy issue briefs and white papers that related to this and other legal issues developed with support from the Commonwealth Fund. The series can be found at <http://www.MedicaidALSeries.org>.

The roundtable was convened by the U.S. Senate Special Committee on Aging entitled “Assisted Living at the Dawn of America’s ‘Age Wave’: What Have States Achieved and How Is the Federal Role Evolving?”

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*The National Senior Citizens Law Center is a non-profit organization whose principal mission is to protect the rights of low-income older adults. Through advocacy, litigation, and the education and counseling of local advocates, we seek to ensure the health and economic security of those with limited income and -resources, and access to the courts for all. For more information, visit our Web site at [www.NSCLC.org](http://www.NSCLC.org).*