

## EXTENSIONS OF REMARKS

IN RECOGNITION OF JAY B. BLOOM, EXECUTIVE DIRECTOR OF BRAND NEW DAY

**HON. ROBERT MENENDEZ**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 7, 2000

Mr. MENENDEZ. Mr. Speaker, today I honor Jay B. Bloom, Executive Director of Brand New Day, Inc., for his outstanding contributions to community development and low-income housing. In appreciation of his service to the community, Brand New Day is honoring Mr. Bloom at its 15th Anniversary Celebration, entitled "Renewal of Our Commitment to Elizabethport."

A graduate of Columbia Law School, Jay B. Bloom has lived in and around New Jersey all his life. After law school, Mr. Bloom established a law practice specializing in real estate and municipal law. Four successful decades later, he retired.

With the knowledge and experience he gained through the years, and with the desire to help those in need, Mr. Bloom joined Brand New Day (BND), a charitable non-profit community development organization that provides affordable housing for community members in the Elizabethport area. BND acquires and rehabilitates existing structures and purchases land for the construction of new affordable housing developments. BND also sponsors and coordinates community outreach programs.

As the Executive Director of BND, Mr. Bloom developed and implemented a comprehensive neighborhood revitalization program. Under his leadership, BND has revitalized and constructed numerous rental units and homes for low-income community members.

Today, I ask that my colleagues join me in recognizing Jay B. Bloom and Brand New Day for their unparalleled contributions to community development and for their generous and compassionate service to the residents of Elizabethport, New Jersey. As a community leader, Mr. Bloom is an inspiration to all of us.

INTRODUCTION OF THE NURSING FACILITY STAFFING IMPROVEMENT ACT OF 2000

**HON. FORTNEY PETE STARK**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, December 7, 2000

Mr. STARK. Mr. Speaker, I am pleased today to introduce legislation with Representative HENRY WAXMAN that focuses clear attention on the critical role that staffing plays in delivering quality care to the 1.6 million people—our parents, grandparents, siblings and spouses—whose fragile health requires them to live in nursing homes.

Policymakers and the public have heard stories for years about the high cost of poor care.

And most of us intuitively know that understaffing is a causal or contributing factor in the hundreds of sad tales of neglect and abuse that are identified and publicized each year.

The impetus for this legislation is both a recent HHS report on nursing facility staffing ratios and a local study conducted in my district that highlights the correlation between quality of care and staffing levels.

The "Nursing Facility Staffing Improvement Act of 2000" proposed a remedy for chronic understaffing in nursing homes: It directs state surveyors to conduct special staffing assessments in instances where they identify quality of care deficiencies that either cause actual harm, or that pose a risk of immediate jeopardy to resident health or safety.

If there is a finding that inadequate staffing has contributed to an actual harm or immediate jeopardy deficiency, the bill requires those facilities to submit corrective action plans within 30 days stipulating the number and type of additional nursing staff necessary to assure resident well-being. Facilities would then face tough scrutiny from state inspectors, who would check and enforce continued compliance during two interim staffing-only surveys that would occur before the next routine annual inspection. In the event that a facility was again found to have inadequate staffing during an interim survey, an additional two years of interim staffing surveys from that date forward would be triggered.

As a separate disclosure requirement, the HHS Secretary would make facility-specific staffing data available on the "Nursing Home Compare" website. The data, which would include total hours of care provided per shift by both licensed and unlicensed nursing staff could be reviewed by family members before placing their loved ones in a facility and aid them in making informed choices.

The legislation does not propose any new fines or penalties for inadequate staffing. Rather, it holds nursing homes responsible for providing consistently adequate levels of nurse staffing, which all experts tell us is the foundation of good medical and supportive care for medically complex, fragile people. It accomplishes this through a system of stepped-up scrutiny and public accountability.

The remedy we are proposing today will improve enforcement of those staffing standards that currently apply, as well as standards that are developed in the future.

This legislation will strengthen our federal oversight system. Under current law, many inspectors find it relatively difficult to document and defend appeals of citations of facility understaffing. This bill would change that by directing surveyors to analyze the role that staffing plays whenever there are serious quality deficiencies. And it will serve as a wake-up call for those facilities they try to control expenses by cutting back on the number and wages of nursing staff.

Last July, phase one of an important HHS staffing study, titled "Appropriateness of Minimum Nurse Staffing Ratios in Nursing Homes" was released. It is an important anal-

ysis for many reasons, and the first federal study of its kind. Its central findings is that most facilities are failing to staff at levels that guarantee good care.

In brief, HHS identified two levels of staffing—a "preferred minimum" staffing levels of 3.45 hours of nursing care for each resident each day, with 2 hours of this care providing by nursing assistants, 1 hour by a registered or licensed nurse, and 0.45 hours only by registered nurses. Quality of care in facilities that staffed above this level, the study concluded, was "improved across the board."

HHS also identified a lower "minimum" level of 2.95 hours of nursing care per resident day, with 2 hours of care provided by nursing assistants, 0.75 by registered or licensed nurses, and 0.20 hours only by registered nurses. Regrettably, more than 90% of facilities in the U.S. fall short of this standard today.

The agency's phase one study also shows that many states are acutely aware of staffing shortages in nursing facilities. Many have already moved to impose more stringent staffing requirements under their licensure authority, and some are taking up State legislation to set quantitative minimum staffing standards. California, for example, has a new law requiring all nursing facilities to provide at least 3.2 hours of resident care per day.

At the federal level, we are about a year away from having national recommendations on a minimum ratio requirements from phase two of HHS staffing analysis, which will help to shape future discussions and debate about how to go about establishing federal staffing standards.

The staffing shortages documented in HHS' national study are also reflected in many homes in my district. At my request, the Democratic staff of the House Government Reform Committee prepared an analysis of staffing levels in homes in my district. Titled "Nursing Home Staffing Levels in the 13th Congressional District," the report shows that 86%, or 25 facilities, did not meet HHS' preferred minimum staffing level of 3.45 hours of nursing care per resident day, while 55% did not meet the lower minimum level of 2.95 hours of nursing care.

Equally important, this congressional study looks at the annual surveys of these homes during their most recent annual inspections. Among those facilities that did not staff at preferred minimum levels, 68% were cited for a violation causing actual harm to residents. In contrast, homes that did not staff at preferred minimum levels had no violations causing actual harm. Clearly, staffing levels matter.

The findings of this congressional study and others like it, plus the implied cost of bringing nearly 16,480 nursing facilities throughout the country up to appropriate levels, are already the subject of considerable debate and discussion. In the next Congress, policymakers and stakeholders will begin to seriously grapple with the mechanics of translating HHS' future staffing recommendations into quantitative federal standards.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

In the interim, it is simply wrong to stand by and allow the current national epidemic of inadequate staffing to continue without intervention. The status quo means that nursing home residents will keep suffering adverse consequences in the form of poor care, or—in the most severe cases—neglect so profound that untimely death is the result.

For all of the reasons, I urge my colleagues to join me in support of the "Nursing Facility Staffing Improvement Act." It is a bill that I hope will find its way into next year's discussions on nursing home quality and accountability, and I invite any and all interested parties to comment.

HONORING CORPORAL MASON O.  
YARBROUGH

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 7, 2000*

Mrs. EMERSON. Mr. Speaker, it is with great honor and humility that I submit this tribute into the CONGRESSIONAL RECORD about a true patriot and hero—Corporal Mason O. Yarbrough, United States Marine Corps, of Sikeston, Missouri. Corporal Yarbrough was part of an elite unit, the 2nd Marine Raider Battalion. This unit, under the command of Lieutenant Colonel Evans F. Carlson during World War II was known as "Carlson's Raiders." As part of the baby boom generation, I owe a great deal of debt and gratitude to this brave warrior because it was his service and sacrifice that allowed all of us to grow up in a free society.

The year 1942 found our nation in grave danger, threatened by both Germany and Japan. Colonel Carlson and his Raiders undertook the second offensive operation of the war against Japan in August of 1942. After extensive training in weapons, hand-to-hand combat and the use of rubber boats, C and D companies of the Marine Raiders were sent to Midway Island. At Midway, they helped the Navy turn back a massive Japanese attack from June 3 through 6, 1942 in what would become the turning point of the Pacific War.

A and B companies of Carlson's Raiders, including Yarbrough of B company were earmarked by Adm. Chester Nimitz for an attack August 17, 1942 on Makin in the Gilbert Islands about 1,000 miles northeast of Guadalcanal. Their mission was to destroy the island's small Japanese seaplane base and its garrison, gain intelligence on the area and perhaps more importantly divert Japanese attention and troops from Guadalcanal and Tulagi in the Solomon Islands. There, U.S. troops had landed 10 days earlier to begin the major offensive of the Pacific War. The Japanese were pouring reinforcements into Guadalcanal and Nimitz was looking to a diversionary hit-and-run raid on Makin to ease the pressure.

The force of 220 Raiders arrived off Makin in the predawn hours of August 17. They had been ferried from Pearl Harbor aboard the submarines Nautilus and Argonaut, which had stripped and reconfigured their torpedo compartments to make room for the marines. Unlike other units, this group did not have the luxury of naval gunfire support of Naval and Army Air Corps cover.

On August 17, 1942 (August 16 local time) fierce fighting ensued and Corporal Yarbrough on his twenty-first birthday was fatally struck down by enemy fire. On August 18, as survivors of "Carlson's Raiders" withdrew from the island to rendezvous with the waiting submarines, arrangements were made with a local village chief to bury the bodies of the fallen men.

Now, fifty-eight long years after Corporal Yarbrough's heroic action, his remains have been recovered. The Yarbrough family, together with the citizens of Sikeston, Missouri will bid him farewell with a service and burial on December 15, 2000. At 2:19 p.m. on that date, a moment of silence will be observed to honor all nineteen Marine Raiders whose remains were recovered from the Makin mission. This honor will also be extended to the nine Marine Raiders of the Makin raid whose remains are yet to be repatriated, as well as all the MIAs and KIAs from our great nation's wars.

HONORING RICHARD C. JOLLEY

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 7, 2000*

Mr. McINNIS. Mr. Speaker, it is with great sadness that I wish to take this moment to recognize the remarkable life and significant achievements of a life-long New Castle resident and sheep rancher, Richard C. Jolley. Sadly, Dick lost his battle with cancer on November 19, 2000. While his family, friends and community remember the truly exceptional life of Dick, I, too, would like to pay tribute to this remarkable man and close personal friend.

Dick was a beloved native of New Castle, where his contributions to the community were many. A dedicated leader of his community, he was elected as a Garfield County Commissioner in 1976, serving during the oil shale boom in Western Colorado. His pragmatism assisted him in finding tough but fair solutions during negotiations with the oil companies, all the while working to see local interests were protected. He also tackled problems in the district attorney's office and worked through a proposal to build a local ski area. His term in elected office was marked by his honest, trustworthy nature and his ability to boil things down to the bottom line.

His life was one of distinction both professionally and in the realm of public service. After serving as a county commissioner, Dick was a leading force in founding the Regional Bank of Rifle, which was recently acquired by Wells Fargo. Dick had a keen business sense that was on full display during his time at the Regional Bank of Rifle.

Known for his sharp wit, a hallmark of Dick's personality was his ability to transfix an audience with his stories. Sporting a grin from ear to ear, he narrated knee-slapping tales that are nothing short of legendary.

Although his professional accomplishments will long be remembered and admired, most who knew him well will remember Dick Jolley, above all else, as a loving husband for 48 years, a devoted father of two sons and a proud grandfather of four grandchildren. At the end of his life, his grandchildren brought him endless joy.

Mr. Speaker, with Dick's passing, western Colorado has lost a great man and friend. However, Mr. Speaker, I am confident that, in spite of this profound loss, the family and friends of Dick Jolley can take solace in the knowledge that each is a better person for having known him. I know that I am.

It is with this that I pay tribute to the life of a man who exemplified the extraordinary characteristics of strength, dignity and sincerity. We will all miss him greatly.

IN RECOGNITION OF HENRY  
SANCHEZ

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Thursday, December 7, 2000*

Mr. MENENDEZ. Mr. Speaker, today I recognize Henry Sanchez for his years of dedicated service to the community of Bayonne, New Jersey. Today, Mr. Sanchez will be presented with the Lifetime Achievement Award at the Bayonne Historical Society's annual Holiday Dinner Dance.

Henry Sanchez was born in San Juan, Puerto Rico and moved to New York as a child. In 1944, he joined the United States Navy and served in World War II. For his courageous service to our nation and the world, he was awarded medals from the governments of the United States, France, and Taiwan.

In 1950, Mr. Sanchez began work for the Bayonne Naval Supply Depot, later named the Military Ocean Terminal (MOT). Between 1950 and 1997, he served in leadership positions at MOT, and with the United States Air Force. These positions included Supervisory Transportation Assistant, Deputy Commander of the USAF's Water Port Logistics Office, and Deputy Director of the Personal Property Directorate at the Eastern Area Military Traffic Management Command.

In recognition of his hard work, dedication, and leadership, Mr. Sanchez has received many awards, including the U.S. Air Force Meritorious Civilian Medal and the Army Civilian Award for Humanitarian Service.

Mr. Sanchez has also selflessly given his time to many other important causes and organizations. He has served as member, chairman (1989), and Grand Marshal (2000) of the Bayonne Memorial Day Committee; Chair of the F.A. Mackenzie Post #165 of the American Legion blood bank; Post Commander of the Disabled American Veterans; member of Catholic War Veterans #1612; member of the board of directors of the United Way of Hudson County; Red Cross volunteer; local baseball and softball umpire; and recently, Commissioner of the Bayonne local Redevelopment Authority, which is responsible for redevelopment of the Military Ocean Terminal. He is also a parishioner of Our Lady of Mt. Carmel Church.

Mr. Sanchez has four children, ten grandchildren, and seven great-grandchildren.

Today, I ask my colleagues to join me in recognizing Henry Sanchez for his years of exceptional service to country and community.