



August 3, 2021

Department of Health
625 Forster Street
Harrisburg, PA 17120
Attn: Lori Gutierrez, Deputy Director
Office of Policy

Re: Rulemaking 10-221 (Long-Term Care Facilities, Proposed Rulemaking 1)

To Whom it May Concern,

Please accept this letter of comment on the recently proposed rule, "Department of Health, Title 28. Health and Safety, Part IV. Health Facilities, Subpart C. Long Term Care Facilities, 28 Pa. Code §§201.1-201.3: 211.12(i), Long Term Care Nursing Facilities".

This letter is being sent on behalf of the residents we serve and the direct care staff who work at HCF Management, Inc. owned and operated Skilled Nursing Facilities in Pennsylvania. As the Vice President – Human Resources, I oversee seven nursing homes operating across the Commonwealth. Collectively, these locations include; Bradford Manor, Corry Manor, Edinboro Manor, Fairview Manor, Warren Manor, Hempfield Manor and Sweden Valley Manor. These facilities are licensed for 840 beds, employ approximately 900 employees and serve 708 residents. Our organization is committed to providing high quality care and prioritizing the needs of the residents we serve each and every day.

After reviewing your proposed regulation, we have concerns regarding the mandatory increase of the minimum number of hours of general nursing care from 2.7 to 4.1 hours for each resident, which excludes other direct care provided by essential caregivers.

I have worked at HCF for more than 13 years now. It is easily the best place I have ever worked. We are a family owned and operated organization focused and dedicated to providing outstanding care to the residents we serve. Because of that focus on care, we budget for staffing well above the current minimum staffing requirement of 2.7 hours per patient day. We do this because that's what is needed to properly care for our residents even though it impacts the financial results of our PA facilities. The unfortunate reality we currently face is one of struggling to meet the 2.7 minimum PPD on some days in some locations even though we budget for higher staffing. Increasing the minimum to 4.1 doesn't change anything about the availability of staff, their willingness to work in our environment with the current pandemic and accompanying guidelines and at pay rates that struggle to compete with other industries due to inadequate funding/reimbursement for the residents we serve. In an effort to solve our staffing issues, we have voluntarily increased wages for all of our employees over the past few years and have more increases we would like to put in place. Unfortunately, due to the census reduction and additional expenses we've encountered due to the pandemic, as well as the lack of additional consistent future funding commitments for our industry in the Commonwealth of

Pennsylvania, those pay increases have been put on hold. We believe there are many ways to help our industry, our residents, and our employees but simply mandating a higher minimum staffing ratio without putting any time, attention or resources to any of the other systemic problems our industry is facing will not solve the problem...it will only make it worse.

Thank you for your time in reviewing and considering our comments. We are hopeful that the Department of Health will address our concerns and work with providers and staff to ensure continued access to long-term care services in Pennsylvania. We are hopeful that the Department of Health will amend the provisions contained in §211.12(i) in a manner that will address the concerns raised in our comments.

Sincerely,

Jeremy Monroe, SPHR, SHRM-SCP
Vice President – Human Resources
HCF Management, Inc.