



8/3/2021

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 of New Eastwood Rehabilitation Center. Our nursing facility is a 97 bed facility located in Easton, Pennsylvania. We employ 150 employees and provide services to 97 residents. As the NHA, I can attest to our facilities commitment to providing high quality care and prioritizing the needs of the residents we serve each and every day.

After reviewing the proposed regulation, we have grave concerns regarding the amendments to increase the required minimum number of hours of general nursing care from 2.7 to 4.1 hours for each resident and excluding other direct care provided by essential caregivers.

1. Workforce availability: We struggle daily to find quality staff to make it to 3.0 let alone 4.1. The government's desire to give away free money has caused the workforce to sit at home and collect. They have no desire to go out and work. This alone has caused hardship on all nursing home facilities. Team mates simply prefer to stay home rather than go to work. The geographic location our facility also leaves us without employees. The warehouse market in the Lehigh Valley has put a great strain on the availability of qualified certified nursing assistants.
2. We have greatly stepped up our recruitment efforts and retention strategies with little relief seen. When you get free government money, why go to work. This philosophy is doing more damage than good.
3. We have many disciplines that attend to our residents. Why are we not counting these hours into the state minimum? Therapy, dietician, activities staff, wound team? These

disciplines see our residents daily. We should be including these hours into our daily state required numbers.

Thank you for your time in reviewing and considering our comments. We are hopeful that the Department will amend the provisions contained in §211.12(i) in a manner that will address the concerns raised in our comments.

Sincerely,
Karen Nocilla, NHA