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To: [DH, LTCRegs](#)
Cc: advocacy@phca.org
Subject: [External] Rulemaking 10-221
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8/11/2021

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 HCF Management Inc., PA Facilities. Our nursing facility are 120 bed facilities located in Bradford, Corry, Coudersport, Fairview, Edinboro, Warren, and Hemfield, Pennsylvania. We employ 1100 employees and provide services to 700 residents. As the Regional Human Resource Manager 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.

In my position, I work closely with each of the PA facilities to recruit and retain staff. We have scheduled staffing calls on a weekly basis to discuss recruitment efforts, new hires, terminations and incentives needed to increase staffing to meet the current 2.7 PPD minimum. We currently utilize Agency Staff in the majority of our facilities. The intent of my role is of a strategic nature, however, the majority of my time is spent as a Regional Recruiter. The Nursing shortage has led to increased overtime and stress for our current RN's and LPN's.

As for STNA's, our most recent turnover report revealed an 82% turnover in STNA's thus far in 2021. We struggle on a day to day basis to hire qualified individuals for this role. Much of the training is done on-site. Typically, once they receive their certification, they leave for higher pay and better benefits. Our recruitment strategies include: Sign On and Referral Bonuses, flyers to eligible rehires, radio and newspaper ads, open interviews, virtual and in-person job fairs, registry mailings, FB boosted posts, sourcing- Linked In and Indeed, flyers to high schools, Vo-Techs and Universities, Clinical site Offering, CO-OP offering, partnering with Career Link and use of Indeed. Despite these strategies, many of our facilities experience low applicant flow, candidates who do not show for interviews and candidates who do not follow through on the Onboarding process.

Our facilities utilize the Administrative Nursing team to cover Charge Nurse positions on a regular basis. In the majority of our facilities, Activities staff are cross trained as STNA's and assist the Nursing Department on a daily basis. The DON and ADON provide Direct Care on a daily basis. Since the start of the Pandemic and the authorization to utilize the Temporary Nurse Aide 8 hour course, many of our Clerical and Administrative staff have completed the course and assist in delivering Direct Care. To exclude these employees from the PPD would be devastating for our facilities.

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,

Monica J. Daquilante

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