



EXTENDED CENTER

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Independent Regulatory
Review Commission

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August 12, 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 Ambler Extended Care Facility. Our facility is a 100 bed facility located in Montgomery County, Ambler, PA. We employ an average of 80 employees. As the Administrator, I can attest to our facilities commitment to providing high quality care and prioritizing the needs of the residents we serve each and everyday.

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.

There are significant challenges of this proposed regulation that need to be addressed. Over the past year and one half we have seen a significant number of healthcare workers leave the field. Wages were certainly one of the contributing factors, but even after making a large wage adjustment we have not seen a larger applicant flow. Staffing is a day to day struggle, as I know it is everywhere. Increasing the PPD to 4.1 in theory could mean better patient care, but in reality does not necessarily equate to that. Patient care is only as good as the employees who work.

Funding additional staff is also a major concern. As we see stagnant rates, insurance companies who do their best not to pay, or delay payment, increased wages demand, and the competition for those few workers remaining in the market, is just a few of the hurdles facilities need to face.

Now is not the time to introduce such a dramatic increase in staffing levels, as facilities are still reeling from the last year and one half. I say give us time to fully recover from the stress and challenges we all have been dealing with. A 4.1 PPD would mean an additional 10 aides a day. 10 additional aides that do not exist. 10 additional aides a day would be \$4.6 million dollars a year. Unless the state is thinking of increasing the Medicaid rate a substantial amount, where would this money come from? Providers are struggling as it is.

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.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Karen A. Pulini".

Karen A. Pulini, NHA
Administrator