



From: [Timm, William](#)
To: [DH_LTCRegs](#)
Cc: advocacy@phca.org; [William Timm](#)
Subject: [External] Rulemaking 10-221 (Long Term Care Facilities, Proposed Rulemaking 1)
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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 Genesis HealthCare. As the Regional Vice President of Operations, I oversee 4 nursing homes operating across the Commonwealth. Collectively, these facilities are licensed for 509 beds, employ approximately 400 employees and serve 420 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. Other essential caregivers are not included in this proposed increase such as Physical, Occupational and Speech therapists who do provide direct patient care to our residents through the therapy they provide and our Recreational Therapists who provide for the physical and psych-social needs of our residents. These are valuable team members in the care delivery process. As you are well aware across the Commonwealth, there is a staffing crisis. In our field, we continue to struggle to find staff to care for our residents when the funding is not there to support the directive. Centers caring for a large population of Medical Assistance residents, lose money each day. Operators are not going to be able to meet your mandated staffing. Every recruitment strategy known is being tried with little success.

Increased funding may help providers offer higher wages, but with losing money now, the increase will not be enough to attract workers when other industries are offering more for entry level positions. In an average size nursing center, this proposed staffing level would require an additional 18 staff members a day. What is the Commonwealth's strategy going to be to fund and supply workers? The Commonwealth and providers need to come together to agree on appropriate staffing levels and not just be a downward directive.

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,

William Timm, Jr.
Regional VP of Operations
Genesis HealthCare
570-394-1419

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